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THE

Parliamentary Register;

OR,

AN IMPARTIAL REPORT

OF THE

DEBATES

THAT HAVE OCCURRED IN THE

TWO HOUSES OF PARLIAMENT,

IN THE COURSE OF

The Fourth Session of the Second Parliament of the United Kingdom of Great Britain and Ireland.

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THE

PARLIAMENTARY REGISTER,

DURING THE FOURTH SESSION OF THE SECOND PARLIAMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND IRELAND.

HOUSE OF LORDS.

MONDAY, JUNE 2.

THE Irish revenue collection bill, and the Irish malt bill were read a second time, and committed for the next day.

Mr. Alderman Combe and several other members of the Commons brought up the Temple-bar and Skinner-street lottery bill, which was read a first time.

Mr. Rickman, from the commissioners of the Caledonian canal, presented the third report of that board, which was ordered to lie on the table and to be printed.

Mr. Irving, inspector general of exports and imports, presented several accounts relative to the commerce of the island of Tortola, which were ordered to lie on the table and to be printed.

Strangers were then excluded, and we understand their lordships then proceeded to resume the consideration of the evidence adduced on the trial of Lord Viscount Melville.

The House continued in discussion till twelve o'clock, when, the further consideration of the subject was postponed till the next day. Adjourned.

HOUSE OF COMMONS.

MONDAY, JUNE 2.

Sir Robert Buxton presented a report from the committee on the forfeited estates in Scotland. Ordered to be printed.

On the motion of Mr. Calcraft, a new writ was ordered for the election of a member for the borough of Honiton, in the room of Cavendish Bradshaw, Esq. who had accepted the office of teller of the exchequer in Ireland.

Sir Charles Price presented a petition from the merchants of London trading to the American colonies, against the American intercourse bill; and Sir William Curtis presented a similar petition from the ship-owners and ship-builders of London.

Sir William Curtis also presented a petition from the cordwainers of London against the flaying bill.

The philanthropic society incorporation bill was read a second time.

Mr. Foster brought up a bill for regulating the Irish post road act, which was read a first time, and ordered to be read a second on Thursday next.

A person from the India House presented extracts from letters of the governor general to the court of directors, dated October 20, and November 28, 1803, pursuant to an order of the House of Friday last.

On the motion of Mr. Foster, the second reading of the linen drawback bill was postponed to Thursday.

Mr. Paull gave notice that he should, on Thursday, move for additional evidence in support of the charges against Lord Wellesley.

Mr. Vansittart moved for leave to bring in a bill for abolishing fees in the office of customs of the port of London, and for the better regulation of the persons employed in that office. The bill which he proposed to introduce, was nearly similar to that which had been brought forward last session, but which had been lost in the House of Lords. The alterations which would be introduced would remove every objection to the bill.

Mr. Vansittart then observed, that his noble friend (the Chancellor of the Exchequer), in moving for certain papers relative to barracks in the Isle of Wight, had happened to omit one, which he should now move for. This was a copy of a letter from Mr. Davis, assistant barrack master, at Newport, in the Isle of Wight, to the War-office, in 1796.

After a few words from Mr. Robson, the paper was ordered.

Lord Temple brought up a bill for the better encouragement of the manufacture of thread-lace in Great Britain,

which was read a first time, and ordered to be read a second on Thursday.

On the motion of Sir John Newport, the Dublin paving commissioners' bill was read a second time, and ordered to a committee of the whole House on Thursday next.

Lord Temple postponed the second reading of the American intercourse bill to Thursday next; his reason for so doing was, that the papers connected with this subject, which a noble lord (Castlereagh) had signified his intention of moving for, might be brought under the consideration of the House.

Lord Castlereagh then postponed his motion for the papers till the next day.

Mr. Rose wished that a still longer time than that which the noble lord proposed might be given for the consideration of the bill, as it affected so materially the trade and navigation of this country.

Lord Temple did not see, after the delay which had already taken place, at the request of the right honourable gentleman, how the farther consideration of the bill could be postponed any longer than Thursday. He believed that the papers meant to be moved for would not alter his opinion on the subject, but would leave the question exactly as it stood before.

Sir Charles Price observed, that he had also moved for papers on the subject, which were not yet before the House.

Mr. Rose then moved, that an address be presented to his Majesty, praying, that he would be pleased to direct "that there be laid before the House the memorials to the privy council from Upper and Lower Canada in 1804, and also from New Brunswick, stating the quantity of produce exported by them to the West Indies, together with an account of the number of ships and tonnage employed in the trade." Ordered.

The Secretary at War brought up the papers relating to barracks in the Isle of Wight. Ordered to be printed.

MARQUIS WELLESLEY.

Mr. Paull gave notice, that on Monday next, he would present a third charge against Marquis Wellesley.

Lord Temple wished to know from the honourable gentleman, when it was his intention to move some specific day for the House taking into consideration the charges which

he had already brought forward. It was the more necessary that no time should be lost, as a direct charge of murder had been brought against the noble lord: and should the honourable gentleman decline fixing any day, he himself intended to move for some specific day on which the charges might be considered.

Mr. Paull answered, that all the papers on which the charges were founded were not yet before the House, though it was likely they would be presented the next day. When the papers were presented, he should propose an early day for their consideration, though in this matter he was resolved to consult only his own ideas. He also complained that certain papers had been detained at the board of controul.

General Wellesley expressed a similar impatience, that the charges against his noble relation should be as speedily as possible brought under the consideration of the House; and particularly, that which conveyed an accusation of murder. He observed, that though the papers alluded to were not regularly transmitted to the board, yet they were to be found in the detail of Bengal transactions for 1803.

Mr. Vansittart brought up the bill appointing commissioners for the more effectual examination of accounts and expenditure in the West Indies, which was read a first time, and ordered to be read a second time the next day.

Mr. Parnell brought up the report of the committee of ways and means, and the resolutions imposing an additional duty on malt in Ireland, which were read and agreed to, and a bill was ordered to be brought in accordingly.

On the motion of Sir John Newport, the Irish stamp-duty bill was read a third time and passed.

On the motion of Mr. Vansittart, the House resolved itself into a committee of supply, to which an account of the amount of exchequer bills issued in 1805 was referred. The sum of four millions and a half was then voted for paying off exchequer bills of 1805, granted on the credit of aids for last year, outstanding and unprovided for. Report to be received the next day.

Lord Henry Petty then said, that it had been found necessary to omit introducing any exemptions to persons of small fortunes, and with large families, into the property bill which had lately passed, in order to prevent any embarrassment in the operation of that bill. But this omission did not proceed from any want of feeling for the situation

ation of such persons; and he now gave notice of his intention to move for a bill exempting persons of that description, which would not be liable to objection, either in point of principle or of execution.

Lord Henry Petty also gave notice, with regard to the tax on private brewers, that as it was never meant to introduce the excise into private families, it was his intention to omit that part of the bill which authorized an excise duty on private brewers. But it would be necessary that the resolutions on which the bill was founded, should be altered in a committee of ways and means on Friday; the bill could not therefore be submitted to the House before the early part of next week.

Mr. Perceval wished to know how the noble lord would be able to ascertain who were private brewers, and who were not.

Lord Henry Petty replied, that every person making a return under the assessed taxes would be required to state, whether or not he brewed his own beer.

MILITARY PLAN.

The House resolved itself into a committee on the mutiny bill.

Mr. Windham proposed that one of the blanks in the clause relative to limited service, should be filled up with "a period of seven years."

Lord Castlereagh moved, that the whole of that part which related to the proposed plan should be left out; and in doing so he entered at considerable length into the nature of the measure, and his objections to it. He could not avoid taking this opportunity to state his objections to it, as the more he considered them the more serious they appeared to him. He wished, however, to avoid details as much as possible, and only state the prominent features. It was a most painful difficulty to him and to the House to be called upon at all to decide upon a measure of this nature, and more especially in the absence of that information which the official situation of ministers enabled them to command. If the right honourable secretary, with all his advantages, was four months in settling the details of his plan, it was rather embarrassing for Parliament to decide upon it only three or four days after the Chelsea bill had been laid on the table, which was absolutely necessary in order to form any correct opinion upon it; and there was

an additional difficulty, as the blanks in the clause were not now filled up, and as much was matter of regulation. But it was unnecessarily embarrassing, because ministers withheld that body of valuable information which they possessed, and even changed their opinions on some points, before their resolutions had passed. He owned that he thought that we came to the consideration of this plan under circumstances disgraceful to the character of Parliament and to the government. He then proceeded to object strongly to the measure, as trenching on the prerogative of the crown. There was no occasion for bringing this to Parliament at all, as it was acknowledged on the other side, that the crown might execute the measures which ministers had in view. In such a case it had never been the practice of Parliament to proceed without a communication with the crown. When additional pay was granted to the navy in 1797, there was an act of parliament, indeed, on that occasion, but then there was a previous order of council, and, therefore, this could not by any means be stated as a precedent. This was depriving the crown in some measure of the power of the sword, which belonged by the constitution solely to the executive authority, under the controul of parliament. In no instance was it ever proposed to trench upon this power, except in the tory administration under Queen Anne. He contended that his right honourable friend had been much misunderstood by the right hon. secretary of state (Mr. Fox) the other night, in stating the difference between a parliamentary army, and an army peculiarly belonging to the crown. In such kinds of force as the militia and the additional force, raised for home defence, the Parliament there might make terms and regulations, but such a thing was never attempted, except in the above-mentioned instance, with regard to the regular army. Now, he wished to consider in what situation the crown stood at present, and in what situation it would stand, should the present plan be adopted. The crown at present might levy men in any mode, and under whatever regulations it thought proper, within the numbers and the expence limited by Parliament. If this measure passed, it would be impossible for it to raise men except for the term of seven years, as directed by the schedule A. in this bill. It therefore limited the power of the crown prodigiously in raising men. Where was the necessity for this? It was said that the soldier would have the security of Parliament for

for the performance of engagements. It was improper and invidious in this case to make a distinction between parliamentary security, and the security afforded by the crown, but unfortunately for this statement, the purpose might have been completely answered by directing an alteration in the articles of war, which were considered as law, and under which, after such alteration, the soldier might move his *habeas corpus*, and be regularly discharged at the proper time. He thought this then a most unadvised attack on the prerogative of the crown. But the means used were also highly objectionable. By looking at the journals of the House, it would be found something similar to this was attempted in 1749, by Mr. Thomas Pitt, who at a time when a great jealousy prevailed respecting the power of the crown, brought in a bill to provide that no officer should be retained in the service beyond a certain period. This was rejected by a great majority. But Mr. Thomas Pitt rested the matter on its own merits, whereas ministers now skulked behind the mutiny bill. By this means the House was deprived of the proper forms; and the House of Lords was prevented from saying "No" to the measure, by its being tacked to a money bill, so that the Lords could make no amendment without risking the loss of the bill altogether. But what was the situation of the crown when it came to exercise its negative power on this bill? It would not have the power to object to it, otherwise, by the loss of the bill, it would be left without an army, or at least without the means of controuling it. It was impossible, then, that the measure could be considered as having been submitted to the House with any degree of fairness upon its own merits. It was open to all the objections that existed to the tacking of measures which might be offensive to the crown, but which the Commons wished to carry, to money bills. Upon the impropriety of such a proceeding he read a quotation from Hatsell, who stated that such a conduct was highly irregular, and a breach of the rules and orders of Parliament. He also read his observations upon the tory measure in 1704, when they wished to carry the bill against occasional conformity. Their proceedings, Mr. Hatsell stated, as tending to create confusion in the government, to force a peace, and to render our allies disposed to accept of such terms as they could procure for themselves, and as France would offer. These observations he thought very applicable to the present case. He concluded this point

with

with saying, that the crown was degraded by the measure, as it could not even raise a black regiment for the defence of the colonies, except on the terms here prescribed. He then proceeded to observe, that he agreed in the propriety of raising a greater force than we had at present, though, at the same time, he contended that having now 25,000 men more than we ever had before, the events of the late unfortunate campaign were not owing to our want of a large disposable force, as, besides the 25,000 men which had been sent abroad, it was intended to have sent 40,000 men, forming the finest army ever sent from this country, had circumstances turned out in a way that could have permitted it. But as more men were certainly wanted than we had at present, he would proceed to the policy of the plan itself. If he had proposed the plan it would certainly have been supposed that he had committed a blunder, when he began his increasing the army by abolishing a plan which procured about 15,000 men annually, and by dismissing 6000 veterans, and all those who had completed their twenty-one years service. He commented on the wildness of the scheme, and the romantic disposition of the hon. gentleman, with his agricultural arguments, which had been so well answered by his right honourable friend near him. But before he considered whether the measure would increase the army, he must observe that we should stand worse with this plan, than with our three species of force. It was the policy of this country to have a great part of our force of such a description that it could be reduced in time of peace, and easily assembled again in time of war. The militia was of this nature, but the regulations relative to its officers made it impossible to carry it to a proper extent, and therefore it was in the contemplation of his late right honourable friend to have had another force, which might be officered in the regular way, and still have the advantage of being disbanded in time of peace, and readily assembled in time of war. But under the present plan, when the soldier was engaged for general service you had no alternative left to keep him even in time of peace or discharge him altogether. The plan therefore was a bad one, supposing it to be successful, which he did not think it would be. But, then it was said, that the soldiers would be of a better description, as they would have opportunity of seeing more service. But, he contended that, supposing regiments that went abroad to stay ten years, very little of the entire

entire mass could be accustomed to foreign service. But if he was of opinion that the plan was a misfortune, even if it succeeded, how could he suppose that it would be able to meet all the waste which it would be called upon to supply? He adverted to the experiment that had been made of limited service during the American war, on grounds more inviting than at present, and stated in one year during that war, 25,000 men had been procured, but that during the late war 42,000 men had been recruited in one year. But we were not without the means of forming some estimate of the effects of limited service on the recruiting even at present. About 500 parties had been lately recruiting for general service, and they had in one year raised above 11,000 men for general service, and for life, while 260 parties, recruiting for limited service, had raised only 4,500 men. He further supported his argument by adverting to the recruiting for general and limited service from the militia at different periods, and especially to the recruiting from the Irish militia, where a bounty of ten guineas was offered by Marquis Cornwallis for limited service, and of twelve guineas for general service. In that instance 9000 had accepted of the twelve guineas for general service, and 300 only had accepted the ten guineas for limited service, and that too by the advice of their colonel. Now after this, what dependence could be placed upon limited service, considered as an inducement to the recruits? He contended that in giving a vested right to the soldier to a future advantage, the crown must be degraded in his eyes, and the principle was besides fallacious even as to its own objects. The incentives which the right honourable secretary held out to induce men to enter the service, would have but little effect with inconsiderate people, who would prefer half-a-crown at the moment, to any prospect of future advantage. But the right honourable secretary was alarmed at the waste which his plan would occasion, and accordingly in order to guard against it, reduced himself to greater and greater difficulties. By his plan a soldier who had served eight years, might have a pension of 18*l.* though he served more. But, as to the discipline of the troops, there was no doubt that this would be superior in troops who served for life, than in the army which would be established upon his mercantile principles. But there were two bad effects of the plan which could not be denied by the author of it. He had often, while on this side of the House, declaimed against

the plan of re-enlisting men, yet his army would be liable to this objection in a high degree; and besides, how were the places of those men to be supplied, whose time was almost out, when a regiment was to be sent on colonial service? An honourable colonel behind him (Craufurd) said that they might be supplied from the second battalions; but this was resorting to the old abominable system of drafting. After all the discussion on this plan, then, we were only to come to this, that in stating these evils, a hope was expressed that they might be remedied. The right honourable secretary had either very modestly or very boldly stated, that he would not enter upon a detailed calculation of the waste and the expence that would attend his plan. But as he had done it, it was the more necessary that others should do it. His lordship then took the number of the army, including cavalry, artillery, and non-commissioned officers at 250,000 men, which was as high a rate as could be on any hand expected from this plan. He had not a return, however, upon which he could calculate as to the army in general, but he had returns of the seven battalions of the guards, from which an idea might be formed, though a vague one, of the whole. An honourable friend of his had stated that the expence of every individual to the country would be 23*l.* per man more than at present. But a calculation of the expence of one man was not sufficient. According to his lordship's calculation, there would be a waste of 30,000 men in each year after the period of fourteen years had elapsed, supposing that none enlisted afterwards. But supposing that one-half of them enlisted again, still there would be a waste of 15,000 men annually, under this plan, without reckoning the ordinary casualties. His lordship then entered upon a calculation of the expence. He thought that the right honourable gentleman could not, with any hopes of success, reduce the present bounty one sixpence. Supposing then sixteen guineas bounty to each man for the original recruiting, and eight guineas for the subsequent periods, the annual sum would be 360,000 guineas, or 380,000*l.* Then he came to the increased pay which he calculated at 162,000*l.* a year. But the most gloomy part of the whole was the subject of the pensions; for it would have very little effect as to the recruiting, and would be tremendous in point of expence. The pensions allowed at the end of fourteen years, he contended, were a bounty for leaving the service,

service, which would, for the most part, be almost irresistible. He supposed that, at the end of fourteen years service, the average age of each man might be about forty years. By a reference to the tables of Halley, and to the insurance offices, he found that the average calculations upon a man's life, from that period, were twenty-two years. The amount of the expence, therefore, at the end of twenty-two years from the second period of service, would be 792,000*l.* His lordship then calculated the expence of those who should have their pensions after having completed their twenty-one years service, and this proceeding upon the same data as to the value of their lives, he found would in the end amount to 684,000*l.* per annum. The whole would stand thus:

Bounties - - - -	380,000
Increased pay - - -	162,000
Pensions at the end of 22 years, after fourteen years service - - -	792,000
Pensions at the same rate after 21 years service	684,000
Total - -	2,018,000

All this was independent of the casual expences. His lordship adverted to the effects which these pensions might have on the navy, which might become discontented at not enjoying similar advantages. He also adverted to the monstrous burdens that we were thus making up for our posterity, and concluded by a recapitulation of his objections to the whole measure.

Mr. Grattan commented upon the admission of the noble lord who had just sat down, that some plan for recruiting the army was necessary, and yet that he had no plan to propose, although he condemned, in terms so unqualified, the plan brought forward by the right honourable secretary of state. Something calculated to keep up and recruit our military force was on all hands allowed to be desirable, and the only question was as to that which was most advisable to promote the object which all professed a wish to promote. Several recommended a reliance on the ordinary recruiting alone, which, it was now evident, could not be conducted without high bounties; but the opinion of the majority, with whom he certainly concurred, was, that limited service should be resorted to. Much encouragement to act upon this opinion was to be derived from experience. Notwithstanding the assertion of the

noble lord, that all experience was against the experiment of the right honourable secretary, he asserted the contrary. For in the American war seventy-eight thousand men had been raised, upon terms of limited service, and such a number surely served to shew that these terms were not likely to be ineffective. These terms had, indeed, always proved productive; they were so in the last French war. But how did they succeed in the operation of those measures, in the support of which the noble lord himself was so forward? What were the army of reserve and the additional force acts but measures of limited service? The manner in which the noble lord had argued on this occasion, in opposition to a principle which he had so often supported before, was certainly somewhat liable to the charge of inconsistency. The noble lord had gone into a long calculation, to shew that immense expence would result from the adoption of the proposed plan, which expence was to consist of bonuses to the army, and yet, at the conclusion of the noble lord's speech, he asserted that this expence would have no effect whatever upon the recruiting of that army. An increase of pay was to be the consequence of seven years service, a still greater increase of fourteen years; and further advantages were to be the reward of remaining twenty-one years in the service. Still, according to the noble lord, this improvement of the soldier's condition, was to form no additional allurement to those disposed to engage in the military life. If the noble lord's statement were just, that in general men were rather inclined to prefer unlimited to limited service—that the one was productive to a great degree, and the other to a very little; there was no egregious error in the calculation of those ministers who drew up the army of reserve and additional force acts. For instead of granting a bounty to such men as volunteered from limited to unlimited service, Government should have had a drawback from them. But, to be serious, it was impossible that the limitation of service should have no influence in obtaining recruits, or that men should not be more willing to engage for seven years than for an indefinite period. Among other calculations which seemed to rest upon very questionable *data*, the noble lord had estimated the life of a man at the age of forty so high as twenty years. He was ready to admit that the noble lord must have had much difficulty to encounter in such calculations; but yet it must be felt by every man, that

that when the noble lord was calculating upon grounds very little better than loose conjecture, with a view to deprecate a system for which he offered no substitute whatever, he ought at least to have kept within the bounds of moderation. If the noble lord had made any proposition in lieu of that which he condemned, he would have been much more entitled to attention. But the noble lord offered nothing. Ordinary recruiting, the noble lord had, for years, repeatedly maintained, was inadequate to supply the wants of the army, and therefore he could not recommend it in the present instance; nor did he say that the ballot ought to be revived, or a requisition attempted. Even the additional force act the noble lord would not enforce; for to enforce it would be to produce no men but money, as the noble lord knew. The question was, as to the choice between requisition and inducement. What would the noble lord desire? He would not surely support requisition—nor would he attempt to support unlimited bounties; yet if those bounties were not tolerated, recourse must be had to other inducements—Parliament must resort to the one or to the other—either to unlimited bounties, which operated as a premium for desertion, or limited service, which held out allurements to the recruit, by conferring a benefit upon the soldier. In one part of the noble lord's speech it was remarkable that he talked much of the length of a man's life, which, according to his estimate, generally reached to sixty years. Here, however, it was the noble lord's object to enlarge the amount of the expence to be incurred by the right honourable secretary's project. But yet when he came to that part where it was desirable to him to depreciate the operation of this project, the noble lord maintained, that seven years being equal to the general estimate of a man's life, the people would be as little influenced by the mention of that period as if it were proposed to them to enlist for life. Upon such an estimate of a man's life, and the observation deduced from it, it was unnecessary to argue. Common sense must suggest to any man a sufficient answer to it. He would appeal to the plainest understanding whether, if a tenant who held a lease for seven years, were to apply to his landlord to exchange it for a lease of his life, the landlord would listen to the proposition? or whether, if a tenant held a lease for life, he would accede to the proposal of his landlord to exchange it for one of seven years? To state such a case was enough to expose the futility of the remark alluded

to. But to return to the subject of limited service; the principle was not only sanctioned by the measures to which he had already referred, but particularly recognised by that provision which granted a bounty to such men as volunteered from the limited to unlimited service. There was, however, much more in the right honourable secretary's plan than mere limited service, to procure soldiesr, and to please the public. But the noble lord's objection seemed principally to apply to limited service. The noble lord himself, however, bore testimony to the effects which must arise from such a measure, when he stated that its adoption would tend to nothing less than to create a mutiny among the veterans in the army, and also to excite discontents in the navy. And why? truly because it proposed to confer what the noble lord considered an extraordinary benefit on the army. But, upon this point it was to be recollected, that although in the American war seventy-eight thousand men were raised for limited service, and in the last French war, forty thousand, still no symptom of discontent appeared among the veterans or the navy. But the idea of such discontent existing was quite preposterous. To suppose that any discontent could arise in the navy in consequence of any military arrangement benefiting the soldiery, would be to indulge a supposition by no means honourable to, or consistent with the character of those who belong to our navy. As to the veterans, the noble lord's argument stood thus:—The army were satisfied without any addition to their pay or pensions, and yet when an addition was to be made to both, they were, the noble lord stated, to become extremely discontented. So much with regard to the noble lord's allusion to the discontents likely to arise from the plan and the new operation of the inducements which it held out. Now, as to the connection which the project under discussion had with the cause of liberty, the noble lord seemed to argue as if to give the soldier an interest in civil liberty, to furnish him with additional reasons for attachment to the constitution of his country, was to damp his zeal. What, that when the pay of a soldier was increased—when his period of service was limited—when he had the prospect of returning to the enjoyment of his country's rights, that he would be less eager in her cause! If that were really the case—that when all the motives were afforded which could serve to animate a soldier's mind, that an English soldier would be insensible,

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that he would be damped, the thing was incredible; but if it were so, then England was to be defended by satellites, and not by soldiers, and the constitution was to rely for its security on an army insensible to its value, and unworthy of living under its auspices. If the English were really such a force, then the old excitement to patriotic valour, the *pro aris et focis*, had ceased to have weight. If such degeneracy had taken place, an army of Prussians or Mamelukes would answer as well for the defence of this country; for, according to this, our army was become mere machines, and ceased to be Englishmen; if such were the case, how much had all the provisions failed which were taken to attach the military to the constitution of the country—in fact, to interfuse as much as was practicable the military with the civil character. With that view military officers were permitted to sit in Parliament notwithstanding their dependance on the crown. This permission was always allowed from the evident policy of cultivating an intercourse between the military and the constitution of the country. The officer from such an intercourse was, of course, more likely to excite in the minds of the soldiery, a just reverence for freedom, and when a soldier was furnished with a comfortable livelihood, that must naturally tend to enhance his estimate of himself and his country. Indeed none was ever to be found in the military character by whom liberty had been always so highly prized as by the old English soldier. One of the objects of the right honourable secretary's plan was to give the soldier a competent subsistence; and of this he particularly approved. Every sentiment of humanity, justice, and policy, called for the assignment of an adequate provision to the soldiery, after they had become unable to serve. This, too holding out to them the prospect of having a permanent interest in the state, formed an additional stimulus to their zeal while in the service. To create this interest had always been the policy of wise states. The Romans would allow none into the army, but those who were possessed of property, because without it they did not suppose that men were likely to feel much interest in the state. In consequence of this, the population were divided into six classes, the lowest of whom, because destitute, were deemed unworthy to be trusted with arms. That wise people were therefore particular about the construction and character of their army, and so they continued until towards the period of their decline.

cline. They then changed their system. They entrusted their defence to the prætorian bands, and their liberty was soon the victim. Their bands became bad soldiers as well as bad subjects, and they soon waited on their emperor to request his order to assassinate the senate. This institution having extinguished the liberty of the Romans, that people, because they soon felt they had nothing to fight for, speedily lost their greatness, their independence, and character. The consequences the Romans experienced from committing their country to the protection of the satellites were two-fold—first, their constitution was lost; secondly, their army degenerated, and became terrible only to their friends, while they became insignificant in the estimation of their enemies. Another reason for keeping up and improving the character of our army, arose out of a consideration of our present circumstances with regard to France. The flower of the French, said the honourable gentleman, which is prepared to act against you, must not be opposed by the refuse of the English. I do not of course mean to call the generality of your army the refuse of your country; but certainly you may have a better sort, and unless you combat the flower of the enemy with the flower of your own people, your case is perilous. But if you will bring forward the force, which it is in your power to collect, inspired with the disposition which Englishmen never fail to feel when contending for their country, fired with that spirit which is the natural result of their constitution, with the public mind, as it were, marching along with their lines, there can be no doubt as to the issue of the contest. What any army are competent to, the British people are competent to do, when properly marshalled, and the right honourable secretary's plan is calculated to produce that effect. The people are to be trained, and thus the casualties of the army in the event of invasion may be filled up. By similar means the Fabian general was enabled to maintain himself upon the Sabine hill, until he found it convenient to come down upon the enemy. If the Romans were not a military people, Fabius could not have so acted and saved Rome, and if you are placed on the same footing neither your independence nor your liberty are safe; you must indeed become either a military government, or a military people; you have such an armed regular army in the country at this moment, at least your liberties, notwithstanding your volunteers, almost at the mercy of the crown, if a King

King chose to try the experiment. I know we have every security against any such attempt in the character of the present family upon the throne, but I wish to consider the King in the abstract, without considering who may be King at the time. I would exhort you to take every means of interweaving the interests of the army with your civil rights. Such conduct is necessary to maintain the character of your army, and the safety and the constitution of your country. As to your constitution indeed, if that were gone, your national safety could not long survive it, for the spirit which results from the one is that alone which can preserve the other. If your constitution were no more, the conflicts to be expected between the crown and the people would speedily bring you to fight the battles of France in England. Therefore the right honourable secretary has been wise in connecting the popular with the regular army, and so interesting the latter in popular rights as to guard against such dangers as I have alluded to. This brings me to consider the assertion, that the interference of the House is an encroachment on the royal prerogative. But the annual discussion of the mutiny bill is a sufficient answer to that assertion. The assertion I have alluded to, I maintain to be in the highest degree unconstitutional; and that the troops of the line are, strictly speaking, a parliamentary army. The mutiny bill, indeed, on the face of it, recognizes the right and authority to which I refer; and any king or minister who should advise a king to deal with that army in any manner inconsistent with the prescription of Parliament, would be guilty of a breach of the bill of rights. The honourable gentleman conjured gentlemen on all sides of the House to devote their minds to the great object to which the measure before the House alluded; observing that they should be more adverse to France than to one another, and that this was not a time to be occupied about little objects. You must, said the hon. gentleman, direct your minds to higher considerations than those discontents which may *possibly* arise among the navy or among veteran soldiers. Let your difficulties be measured by your danger, and those difficulties must be great that should obstruct your progress. Look at the perilous grandeur of the power that assails you, and reflect upon the means necessary to maintain your own elevation. Do not suffer yourselves to be drawn aside from the proper provisions for your security by financial calculations. You

were told that America could not support her expenditure, and must therefore submit to your arms. The same argument was applied to France. But the calculation was wrong with respect to both. The Americans and the French were victorious. When a great nation determines to sacrifice wealth and maintain a great principle, there may be danger, there may be such a thing as death, but there cannot be defeat.

The *Master of the Rolls* differed from the honourable gentleman who spoke last in many points. He could very well understand how the measure might not be profitable in increasing the army, and yet be excessively burthensome to the country. The honourable gentleman appeared to him to have formed a very different idea of what was necessary for an army, than the right honourable gentleman (Mr. Windham) had proposed; for although that right honourable gentleman had talked something about civil privileges, they did not form any part of the plan which had been opened. The examples drawn from the conduct of despotic sovereigns to their armies would not apply to this country. In despotic states, a dash of a pen would remove the inconvenience and the contract: a French sovereign might promise, and then publish an *ordonnance* to excuse the non-performance; but British promises and acts of parliament were not to be so done away. —On the constitutional part of the question, it would be proper to say, that if the measure were to be carried into effect, it ought to receive its operation from the crown, without any parliamentary interposition. The King, no doubt, had complete authority to limit the service. The present clause was incongruous with the whole tenor of the mutiny bill; that was to augment the powers of his Majesty; but this was to restrict those powers. He was sorry to hear it said, that soldiers were rather to look to the legislature than to the Sovereign, under the idea of any diffidence in the latter; whatever mistakes might have been committed by particular officers, he believed there had been no breach of any deliberate contract by the executive government. When once limited service was recommended as a great boon sanctioned by parliament, an impression would be produced in favour of it, which it would be impossible to remove, and the consequence would be, that indefinite service could not be restored, however necessary it might become to the public security. Nothing had

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yet been said to shew how this scheme could be accommodated to our colonial establishments, and this made the great distinction in the present case, for Britain had this peculiar object to preserve, which was comparatively of no consequence with those countries where limited service had been adopted. The right honourable gentleman (Mr. Windham) presumed, although the soldiers had a right to be discharged, that they would not avail themselves of such a right. It was too much in the right honourable gentleman to expect, that in the absence of all proof his predictions were to be substituted for facts. A little had been said on the injurious effects of limited service in this country; it was well known, that the independence of America had nearly been sacrificed to this egregious error in the military system of the provinces. The additional force bill, the army of reserve bill, and the mode of recruiting by ballot, had all been abandoned, so that now nothing remained to interfere with the regular army. Why then should not this be tried? He hoped ministers would either withdraw this hazardous and impolitic project, or at least produce it in the committee in a more digested state. If they would do neither of these, he must make use of the rights he had, and give his decided opposition to the measure.

The *Solicitor General* was extremely sorry that his learned friend had said so little of the novel and dangerous docrines advanced in the course of this debate. It was said that this ought not to be a subject of discussion. What was the subject before the committee? It was the mutiny bill; a bill which declared it should be lawful for the King to establish courts martial, and that only for one year; a bill which said, that it was unlawful to quarter troops upon the subject, and restricted this burthen only to one year. In this bill a clause was proposed limiting military service to seven years, and it was to be asserted, that such a clause in such a bill was unconstitutional. But this was not to to be done in a mutiny bill. If it were to be abrogated, how could it more conveniently be introduced than into an annual bill. The right honourable and learned gentleman said, that it was wrong such a measure should be sanctioned by parliament; it would have such a powerful effect upon the public mind: and yet in the same breath the committee was told that the youth who entered into the

service were utterly indifferent if it were limited or indefinite. One moment this was a great boon, which would render limited service in future impossible, the next it was of no value, and one additional man would not be added to the army by the concession. He left gentlemen on the other side of the House to reconcile these glaring inconsistencies. The most extraordinary argument was, that it was dangerous to the constitution to enlist soldiers for a limited time, and therefore the scheme ought to be rejected. Did gentlemen remember how jealous the natives of this island had always been of a standing army in the best times of our history? Why was the militia preferred, but because they were engaged for a limited time, and returned again into the mass of citizens? Did not gentlemen remember, that the soldier resigns the Habeas Corpus Act and the trial by jury? He would quote the sentiments of a great and learned Judge, who he believed was indebted for his preferment to the abilities he displayed in the work to which he should now refer. "In a land of liberty it is extremely dangerous to make a distinct order of the profession of arms. In absolute monarchies this is necessary for the safety of the prince, and arises from the main principle of their constitution, which is that of governing by fear: but in free states the profession if a soldier, taken singly and merely as a profession, is justly an object of jealousy. In these no man should take up arms, but with a view to defend his country and its laws: he puts not off the citizen when he enters the camp; but it is because he is a citizen, and would wish to continue so, that he makes himself, for a while, a soldier. The laws therefore, and constitution of these kingdoms, know no such state as that of a perpetual standing soldier, bred up to no other profession than that of war: and it was not until the reign of Henry VII. that the Kings of England had so much as a guard about their persons."—"Nothing then, according to these principles, ought to be more guarded against in a free state, than making the military power, when such a one is necessary to be kept on foot, a body too distinct from the people. Like ours, it should wholly be composed of natural subjects; it ought only to be enlisted for a short and limited time; the soldiers also should live intermixed with the people; no separate camp, no barracks, no inland fortresses should be allowed. And, perhaps, it might be still

still better, if by dismissing a stated number, and enlisting others at every renewal of their term, a circulation could be kept up between the army and the people, and the citizen and the soldier be more intimately connected together."—What was it that had happened since this luminous author published his Commentaries, that should diminish his jealousies of a standing army? Was it because the standing army was three times as numerous? Was it because it had been necessary to establish barracks? Was it because a great military despotism had been expanding itself all over Europe, or because every advancing year the vestiges of liberty were progressively destroyed amongst the surrounding empires? We had no superiority of muscular force, of military discipline, or of knowledge in the art of war, over our opponent: we had nothing to oppose to him which gave us a decided advantage; but the zeal of our soldiery, who were not to fight for a glittering tyrant, but for themselves, for their own liberties, for a cause in which every man must consider, if he fell in the field, that he was a martyr to the freedom of his country. To make him burn with these energetic sentiments of virtue and patriotism, he must feel that he was not only a soldier but a citizen. He (the Solicitor General) could not listen with patience to the cold arithmetic of his hon. and learned friend (Mr. Perceval), who exclaimed with a sort of triumph, that after the soldier had spent 21 years in the service, we had bought all this for sixteen guineas. If he had counted the scars on the breast of the veteran, with the same precision that he reckoned the guineas, the liberality of his nature would have revolted at such a frigid calculation. Then, added he, these ministers had economy on their lips, but none in their hearts. The economy for which he contended could indeed find no place in the heart. Whether he looked to the principles of the British constitution; whether he attended to the voice of reason, justice, and humanity; whether he regarded the maxims of political wisdom, recognized in past times; on whatever side he contemplated this measure, new motives were presented, to give it his cordial support.

General Norton spoke against the clause, and suggested an amendment, that troops in the whole islands should be attested to serve not only during the term of seven years, but until six months after the termination of any war in

which their time should expire; troops in the Mediterranean and West Indies to serve for twelve months, and in the East Indies for eighteen months after the termination of such war.

Colonel Craufurd shewed the fallacy of Lord Castlereagh's statement of the expence of the measure, by noticing that his lordship had on the one hand taken the army as it now stood, thereby giving no credit to the plan for raising recruits, while on the other he had, in estimating the additional expence, calculated it at 250,000 instead of 120,000 men, thereby making a difference in their statements of 1,001,000*l.* the noble lord's being 1,638,000*l.* while, according to his (colonel Craufurd's) calculation, it only amounted to 670,000*l.*

Sir William Lemon congratulated the House on having heard the most constitutional speech from the solicitor-general, which in the course of thirty or forty years he had ever heard in that House. The greatest grievance which could attend a free country, was a great standing army. If such must be maintained, the most constitutional way in which it could be established the better. On that ground he approved of the speech of the solicitor-general.

Lord Louvaine asked, if the present army in this country was not a constitutional one?

Lord De Blaquiere supported the clause. If gentlemen who opposed the measure thought it of the supreme importance they pretended, why did they object to its being agitated in parliament, rather than that it should emanate, as he agreed it might, from the authority of his Majesty?

General Stewart, notwithstanding the arguments which had been offered by several learned gentlemen, and by an honourable Irish orator (Mr. Grattan), who spoke early in the debate, could not agree in the good consequences that were anticipated from this plan. It was said, it would not only procure a rapid supply of men, but those of a better description. He did not conceive the army could have a better description than that of soldiers, and as to better orders of men, he thought the common day-labourers made better soldiers than tradesmen or clerks; he spoke from the experience of ten years as a commanding officer; and he could not coincide in the opinion of the honourable Irish orator.

Mr.

Mr. Grattan felt it necessary to say a word or two in answer to the honourable general who had just sat down, and who had thrown some of his scattering shot towards that side of the House. The honourable general, though he did not deliver his sentiments in the style of an Irish orator, seemed to betray some symptoms of an Irish understanding; but he could wish the honourable general had evinced a little better acquaintance with Irish order. But notwithstanding the confidence of the honourable general in the opinion he avowed, he (Mr. Grattan) begged leave to decline his authority, either as an Irish orator or an Irish officer.

General Stewart replied, that though he did not profess to be an Irish orator, he hoped he should always maintain the character of an Irish soldier.

Mr. Bankes approved the measure. If it should fail of success (which he did not believe it would) there was nothing more easy than to return to the old practice.

Lord Garlies, after complimenting the master of the rolls on his very argumentative speech, declared his main objection to the measure to proceed from the bad effect it must have on the naval service. It might happen that we had an expedition going on combined both of naval and military force, and that one part might be entitled to demand their discharge while the other could not. He would ask how it could be possible to reconcile the one to the idea of being bound to continue in their service while the other was discharged?

The question being then very generally called for, the House divided—

For the question -	206
Against it - -	105
Majority	101

The blanks were then filled up, and the bill passed through the committee without any further discussion. After which, the House having resumed, the report was brought up, and ordered to be taken into consideration the next day.

The Chelsea pension regulation bill was also ordered to be taken into consideration the next day.

The third reading of the treating act was postponed to Monday next.

The

The other orders of the day being disposed of, the House adjourned at two o'clock in the morning.

HOUSE OF LORDS.

TUESDAY, JUNE 3.

The Temple Bar lottery bill was read a second time, and committed to a private committee for Thursday.

The Irish revenue collection bill, and the Irish malt bill, passed through committees, and were reported.

The Earl of Moira presented a petition from Mr. Justice Fox, which was read short by the clerk, praying that the House would take his case into consideration, and do what should seem meet to them therein. Ordered to lie on the table.

Mr. Alexander and several other members of the House of Commons, brought up the Irish sugar bill, the Irish additional force repeal bill, and three private bills, which were read a first time.

The Irish additional force repeal bill was, on the motion of lord Walsingham, ordered to be printed.

Lord Eldon rose to move the order of the day. Earl Stanhope wished previously to offer some observations to the House, Earl Bathurst moved that the House should be cleared. Strangers were immediately excluded, and the consideration of the evidence adduced on the trial of Lord Viscount Melville was resumed.

The discussion continued till ten o'clock. Several questions were referred to the Judges, who were to deliver their opinion, in answer, on the following Thursday, to which day the further consideration of the evidence was deferred, and to which day also the House adjourned.

HOUSE OF COMMONS,

TUESDAY, JUNE 3.

Mr. Patterson moved that the evidence taken before the committee on the Norwich paving bill should be laid before the House. After a few words from Mr. Fellowes and Mr. Hurst, this motion was negatived.

Mr. Fellowes then moved that the bill be read a third time.

Mr.

Mr. Paterson opposed it on the grounds that from the reduced state of the town in point of trade and opulence, and the pressure of a variety of pecuniary burdens, this was not the proper time for it.

After a few observations, however, from Mr. Fellowes, Mr. William Smith, and Mr. Shaw Le Fevre, the bill was read a third time and passed.

Lord Ossulston appeared at the bar, and stated that the papers respecting Upper and Lower Canada, moved for by Mr. Rose, had been ordered by his Majesty to be laid before the House.

Mr. Whitshed Keene moved for a copy of the letter of Sir John Macpherson, written while he was a member of the supreme council of Bengal, dated the 30th of March, 1785, to the court of Directors [This was supposed to relate to the observations made respecting Sir Richard Sullivan.] Ordered.

Mr. Owen presented papers from the India House, pursuant to the order of the House of the 13th and 20th of May last. Ordered to lie on the table.

Sir John Anderson presented a petition from the London Dock Directors against the East London water-works bill. Ordered to lie on the table.

On the motion of Lord Temple, it was ordered that the House should at its rising adjourn till Thursday.

Mr. Baker presented a petition against the East London water-works bill. Ordered to lie on the table.

Sir John Sinclair gave notice of a motion for considering the law respecting broad-wheeled waggons and the highways to Scotland.

AMERICAN INTERCOURSE.

Lord Castlereagh, though the second reading of the American intercourse bill stood for Thursday, hoped that it would not come on so soon, as Parliament ought not to be pressed to decide upon it before it was in possession of the requisite information. He thought the House should be in possession of the instructions given to the governors of the West India islands, by the late administration, which he considered as consonant with the soundest principles of the navigation act. He also wished to have those instructions which had been subsequently sent; and concluded by moving, that the instructions sent to the go-

vernors of the West India islands, relative to the American intercourse, of the 5th September, 1804, should be laid before the House; as also copies of any instructions subsequently sent.

Lord Temple had no objection to the papers—but as to the postponing of the second reading of the bill, if he did that, it would be on account of the state of the public business, and not on account of any argument urged by the noble lord. He contended that the bill ought to pass with all convenient speed.

Mr. Perceval observed, that though it did not pass this session, the West India colonies would only be in the same situation that they had been in for the last thirteen years. He did not, therefore, see any particular necessity for pressing the bill forward with any great haste. He did not see the propriety of the noble lord urging it on by that command which his situation gave him over the House, before the proper information was produced.

Mr. Plumer said, that it was irregular to say that the noble lord had a command over the House.

Mr. Perceval, in explanation, said, that he did not see where the irregularity was in saying, that the noble lord's situation and eloquence gave him great influence in the House.

Mr. Plumer observed, that if the honourable and learned gentleman had not used the word command, he would beg his pardon.

Mr. Rose wished to know whether it was the intention of the noble lord to postpone the second reading of the bill beyond Thursday. He adverted to the petitions that had been presented, and the great interests that were concerned in this business. If a committee was granted him, he undertook to finish the evidence up stairs in three days. He had, during the last few months, seen the mos extraordinary measures that ever he had observed in Parliament; but this was the most extraordinary of them all. His lordship had expressed his doubts whether he would postpone it upon the arguments of the noble lord near him. This was the most extraordinary language, and such as was seldom heard in that House.

Lord Temple in explanation, said, that his doubts as to postponing it arose from the state of business before the House; and he had expressly said, that this was the ground of his doubt, and not any argument of the noble lord.

lord. As to the merits of the case, the right honourable gentleman's proposition for a committee would have been perfectly proper had the bill been a measure of repeal: But it was merely a matter of regulation, enabling the government to do that by law which had been for several years past done without law, or against it. However, he would postpone the second reading of the bill till Friday. —The papers were then granted.

ABOLITION OF THE SLAVE TRADE.

Mr. Secretary Fox rose to give notice, that he should on Tuesday next bring forward a resolution respecting the final abolition of the slave trade. He conceived it would be too late in the present session to propose any bill upon the subject; but as it was one of those important subjects upon which his Majesty's present ministers had pledged their opinions to the House, he thought it high time to evince their determination of carrying those opinions into effect.

General Tarleton wished to know the specific tenor of the right hon. gentleman's intended motion.

Mr. Secretary Fox said, he had no wish to conceal from the hon. gentleman the purport of his motion, but he had not yet shaped it into any specific form of words. His object, however, was that the House should pledge itself to some resolution, for entering as early as possible next session into the consideration of this subject, with a view to the abolition of the slave trade, but without settling any particular period for that purpose.

MARQUIS WELLESLEY.

Lord Temple, pursuant to the notice he had given upon a former day, now rose for the purpose of moving a specific day, for taking into consideration the charges of high crimes and misdemeanours against the Marquis Wellesley, laid upon the table by an hon. member, on the 28th of last month. He hoped it would not be necessary for him to preface his motion by observations to any great length. But as the hon. member who had brought forward those charges, had named no particular day for moving the House to their consideration—feeling as he did the nature and importance of those charges to be such as called for their full investigation with the least possible delay—he now rose for that purpose. Gentlemen who had looked into those charges must have felt them to be of the most

weighty nature. They directly imputed to Lord Wellesley not only every species of public delinquency that could brand the character of a public officer, but every charge of private depravity that could stain the personal reputation of an individual. He had no doubt that the hon. gentleman who brought forward those charges, had done so under a self-persuasion of their truth, and a belief that he should be able to substantiate them in evidence. He would not pay the hon. gentleman so bad a compliment, as to suppose he would bring forward such charges against any man, much less against the noble lord, unless he was himself persuaded they were founded in fact, and without being prepared with evidence, which he himself conceived competent to sustain them. But the hon. gentleman must allow that, notwithstanding the strength of his own persuasion upon the subject, it was still possible the noble lord might possess a confidence in his own innocence, superior to every accusation of such a nature, and must feel extremely impatient for the opportunity of his own vindication, more especially when those charges included one of a nature more atrocious than all the rest, and such a one as called for the most immediate investigation, namely, the charge of a foul, deliberate, and cruel murder. In this charge was also included another person, not a member of either House of Parliament, for whose account also much anxiety must be felt, though he had not the honour even of a slight personal acquaintance with him, namely, Mr. Henry Wellesley. But, from the nature of the charges altogether, and more especially the last, it became absolutely necessary that an early investigation should now take place. If the hon. gentleman had named any day for such an enquiry, it would not be his wish to take it out of his hands: for the present, however, he should move, "That the House do, on to-morrow fortnight, take into its consideration the charges of high crimes and misdemeanours, laid on their table, against Richard Marquis Wellesley, on the 8th ult. concerning the affair of Oude." If the hon. gentleman should then have any motion to submit to the House upon the subject, he would have an opportunity of doing so. If not, he (Lord Temple) should certainly propose a motion on the subject.

Mr. Paull adverted to the precedent of Mr. Burke's proceedings against Governor Hastings, and said, that

that

that right hon. gentleman, after five years deliberation and repeated motions, had, upon the 4th April, 1786, laid on the table seven articles of charge against Mr. Hastings; on the 12th of April, he laid four more; and on the 7th of May, three more; and notwithstanding the right hon. gentleman had taken five years to deliberate upon his purpose; that he had the benefit of the reports of the secret committee, of various papers he moved for, and of evidence examined at the bar for the proof of his charges; yet it was not in less than six weeks afterwards, that he moved the House to any proceeding upon those charges. Now he had given notice only the preceding day that he had witnesses to examine, and had also moved for a number of papers, many of which were absolutely necessary in support of the charges alluded to by the noble lord. Let those witnesses be examined at the bar; let those papers be produced in proper time, and he should not have the smallest objection to proceed to the investigation on the day proposed. Indeed, it was his intention to have moved for that day, if the testimony and documents had been fairly before the House: but until they were, he should not be induced to move one step to the right or to the left, or to move one degree quicker or slower, in consequence of the noble lord's motion, or of any importunity from the friends of Lord Wellesley: and with respect to the charge of murder, alluded to by the noble lord, it was a general charge, and only mentioned amongst others, with a hope that, upon substantiating the preceding charges, he would be allowed to bring a supplementary charge upon that distinct head; and he would be ready to go into the proofs upon that point the next day, if the others were gone through.

Lord Archibald Hamilton could not let pass some expressions which had fallen from the noble lord, without making some observations upon them. The noble lord had complained that the charges of the hon. gentleman went to impeach the private character of Lord Wellesley for acts merely of public and official conduct, and that he had applied to the noble marquis personally every atrocious epithet—of tyranny, cruelty, oppression, plunder, and even of murder, for acts done in his public and official situation. But he must conceive it impossible, that such could have been the purpose of the hon. gentleman; and as to the charge of murder, he did not conceive it to be

put by the hon. gentleman in the way it was imputed. But really, if in bringing forward charges such as those now on the table of the House, and every tittle of which his lordship conceived to be warranted by the documents already brought forward in support of them, a member was to be restrained in the use of such language and such epithets as were usual in expressing opinions, extremely natural to his feelings, upon such circumstances as those charged, lest the private character of the party accused should be supposed to be implicated in his public conduct, it would be impossible for any man to devise a becoming language for bringing before that House criminal charges against public delinquency in any man.

Sir John Newport expressed some surprise, how the noble lord who spoke last, if he had read the charges upon the table, could so far mistake that particular charge, which related to murder, as to say the crime was not roundly and specifically charged against the noble marquis, in conjunction with others. The hon. baronet here read an extract from the charge, which stated, that the said marquis, in conjunction with Richard Wellesley, had, with numbers of armed men, surrounded the mansions of certain zemindars and rajahs, the subjects of the Nabob of Oude, and within his dominions, and did attack, slay, and destroy several of the rajah's said zemindars, and their attendants and adherents, and did sack and plunder their said mansions of their property; thus completing the measure of his oppression and tyranny, by a foul, deliberate, wanton, and cruel murder. If this, then, was not a charge of murder, couched in as strong words as had ever appeared in the language of an indictment, he was at a loss to conceive what words could describe it more strongly.

Sir Arthur Wellesley rose, to express some surprise at the declaration made by the noble lord who spoke last but one; namely, that he thought the charges against the noble marquis, his relation, borne out by the documents already laid upon the table; and more especially, as the noble lord's hon. friend (Mr. Paull), had said, only the moment before, that he could not sustain those charges without several other documents which he had moved for; and also the examination of several witnesses at the bar. It was very extraordinary, therefore, that the noble lord should pronounce so decidedly upon the truth of charges

(which

(which however remained to be proved), that his hon. friend who brought them forward declared he was not able to sustain without much more evidence. With respect to the charge of murder, however, it was one of too foul and atrocious a nature to be suffered to go forth unexplained, or remain as a stain upon the character of his noble relation, without placing the circumstances upon which it was founded in a proper point of view. There were certain officers, called zemindars and rajahs, resident in that part of the nabob's territory which was ceded to the company in 1801, and rendered liable to pay certain tributes, in the way of land-tax, upon that territory annually to the company. The first year's tribute they did pay, he believed, regularly; and the regulations of the company, which were the laws of the country, were promulgated and established in that territory; but upon the second payment being required, instead of complying with the law, they combined to resist it: they assembled together their armed forces under the chief command of an officer named Amas Ali Khan; they retired to their forts; they set the laws at defiance; they refused to pay any tribute; and it was found necessary by the governor general, in support of the laws, to reduce those men by force. So formidable were they, that it required the whole of the Bengal army, with the commander in chief at their head, to effect this service. They were attacked in their forts, and in the course of their obstinate resistance some persons fell; some blood was spilt; and this was what the hon. gentleman imputed to the noble marquis as a murder. It was an act of public power done in support of the laws of the country, like what would have been done against any class of British subjects in similar resistance to the laws passed by that House; and the House would judge how far it was just to describe such a measure by the epithet of murder.

Lord Archibald Hamilton explained, that when he said the charge was warranted by the papers on the table, he could not be supposed to mean that it was proved. This was a quite different thing.

Mr. Golding observed, that the lord lieutenant of Ireland might as well be charged with murder, for having suppressed rebellion.

Mr. Fox submitted whether this was a time to enter upon the

the merits of the case, and expressed his hope that the subject would be dismissed for the present.

Doctor Laurence said, that it was impossible, in a case of this kind, to fix a particular day. The House could not, with any propriety, proceed to the consideration of the charge till the whole of the evidence was before them. Papers had been moved which had been suppressed by the late board of controul, which have not yet been produced.

Lord Castlereagh complained of the illiberal manner in which he had been treated by the honourable and learned gentleman, who said that he had suppressed papers, when he had only exercised a proper discretion, thinking that the communication would be injurious to the public service. He thought the honourable gentleman ought rather to have made a specific motion on the subject, and then he would be prepared to defend himself. These papers would not certainly justify the expression in the charge.

Mr. Johnstone said, that the papers in question related to troops and forts, and other matters of public notoriety, and were therefore the worst grounds in the world for the exercise of this discretion. As he was on his legs, he must say that the word 'murder' was improperly applied.

Lord Henry Petty agreed with his right hon. friend (Mr. Fox) that this was a most improper time for entering on the merits of the case, and hoped, therefore, that the subject would be dropped.

The motion was then put and carried.

EXEMPTIONS FROM TAXES.

Lord Henry Petty rose and stated, that a very general misconception prevailed as to the exemptions to be allowed to persons having small incomes and large families. The measure which he intended to propose on that subject was completely distinct from the property tax, and his object was to frame it in such a manner that it should not be liable to the same objections as exemptions under the property tax. He might not have been misunderstood in that House, but a wrong impression had been conveyed to the public by other channels. It was painful to him to be misconceived on this point, and he now stated the matter again, in

in hopes that the wrong impression would be done away by means of the same channels. (His lordship stated that the exemptions were to be allowed under the assessed taxes.) In answer to a question from Mr. Long, he observed, that the exemptions were to be allowed by a certain scale, according to the income and the number of children.

Mr. Wilberforce stated his satisfaction at this proposed regulation.

Sir J. Newport rose with peculiar satisfaction on the present occasion, as he was convinced it would be sufficient merely to state the measure of which he had given notice, to ensure the full concurrence of the House. This measure, in which he was supported by the authority of his Majesty's ministers, went to lay open the intercourse in grain between Great Britain and Ireland, and, he trusted, it would be merely a prelude to that free interchange of every other commodity between the two countries, which was so much to be desired. With regard to grain, an article of the first necessity, there could be no doubt that one part of the United Kingdom should assist another, whenever occasion demanded it: and the only way of preventing an undue rise in the price of the commodity in any part of the country, was to remove every limit and obstruction in the way of its interchange. The measure which he should propose would place all the ports of the United Kingdom exactly on the same footing with regard to importation or exportation, as the different ports of Great Britain were at present with regard to one another. It was earnestly to be wished, that the Union between the two countries should become every day more close, and that the channel which divided them should no longer be considered as a barrier, but as a bond of union, and the medium of mutual and beneficial intercourse. He then moved for leave to bring in a bill, for making the intercourse in grain between Great Britain and Ireland free and unrestrained. The motion was ordered to be referred to a committee of the whole House on Thursday.

Mr. Foster gave notice that he would on Thursday move for certain papers respecting the corn trade of Ireland.

Sir J. Newport brought up the Irish malt and spirits duty bill. Read a first time, and ordered to be read a second on Thursday.

Mr. Windham said a few words in reply to what had fallen from the hon. member.

Lord Castlereagh then rose to move for certain papers respecting Chelsea Hospital, which he thought it extremely material for the House to be in possession of before they entered on the discussion of the proposed changes in the pensions to be given to soldiers. From these papers it would appear, that the House was called upon to new-model a benefaction which ought to have originated from the crown. The new measure would also materially affect the rights of property which had been vested in a corporate body. He then moved, that there be laid before the House a copy of the charter and regulations of Chelsea Hospital, together with the returns of the number of in and out-pensioners, and of the expence attending them; also a statement of the revenue of the Hospital for the last year, with an account of its sources.

Mr. Alexander brought up the report on the mutiny bill.

Mr. Sturges Bourne begged to know when the right honourable secretary intended to bring forward his bill for abolishing ballot in the militia, and for providing for the defence of the country, for the introduction of which he had received the consent of the House full two months ago.

Mr. Windham replied, that he had already given notice of his intention of bringing them in on Thursday next.

Sir W. Elford conceived, that the mode of raising and supporting the militia by means of bounties instead of ballot, as proposed by the right hon. secretary, would destroy the very essence of the militia. At present the ballot was suspended, because the militia was not reduced to that establishment which was thought sufficient; but now they were to be placed on a very different footing; ballot was to be rejected, and bounties to be tried. This he conceived a destruction of the constitution of the militia, which was founded on the undoubted prerogative of the crown to call out a part of the community for the defence of the country. The militia service was therefore of a personal and compulsive nature. The honourable member was proceeding farther, when he was called to order by the Speaker, who observed that the subject was not at present before the House.

General

General Sir James Pulteney gave notice, that on the third reading of the bill, he should propose an amendment, relative to confining limited service to second battalions.

The report was then received, and the bill was ordered to be read a third time on Friday next.

Lord Temple farther postponed the second reading of the American intercourse bill till Monday.

On the motion of Mr. Windham, the House resolved itself into a committee on the bill for regulating Chelsea Hospital. The report was then received, and the farther consideration of it postponed till Thursday.

The West India commissioners bill was read a second time, and ordered to a committee of the whole House on Thursday.

Mr. Hawthorne brought up the report of the committee of supply, granting four millions and a half for paying off exchequer bills of 1805, outstanding and unprovided for. A bill was ordered to be brought in pursuant to the resolution.

Adjourned till Thursday.

HOUSE OF LORDS.

THURSDAY, JUNE 5.

The Irish customs bill, the Irish revenue regulation bill, and the Irish malt bill, were read a third time and passed, and a message sent to the House of Commons to acquaint them therewith.

The property tax bill, and the Irish additional force repeal bill, were read a second time and committed for the next day.

Mr. Fawkner, clerk of the privy council, presented copies of two orders of council, relative to the commerce of Tortola, which were ordered to lie on the table, and to be printed.

The Duke of Montrose moved for some accounts respecting the commerce of Dominica, with reference to the Tortola free port bill, which were ordered.

Earl Spencer adverted to the order which stood for the next day, with reference to the motions which his noble

friend (Lord Grenville) had given notice of his intention to bring forward, relative to the administration of justice in Scotland. His noble friend, in consequence of indisposition, would be unable to be in his place the next day, and therefore he wished to postpone the order till the next day se'nnight, when his noble friend would probably be enabled to attend.

The order for summoning their lordships for the next day was discharged, and renewed for the next day se'nnight.

The order for the attendance of witnesses relative to the case of Mr. Justice Fox, which stood for the next day, was, on the motion of Lord Walsingham, discharged, and renewed for Wednesday next, on which day the Lords were ordered to be summoned.

Strangers were ordered to withdraw, and their lordships resumed the consideration of the evidence adduced on the trial of Lord Viscount Melville.

The judges attended, and delivered their opinion in answer to the questions referred to them on Tuesday.

The discussion afterwards continued till half past eleven o'clock, when the further consideration of the subject was deferred till the next day.

Adjourned.

HOUSE OF COMMONS.

THURSDAY, JUNE 5.

Mr. Davies Davenport took the oaths and his seat for Cheshire, in the room of Mr. Egerton deceased.

An account was presented of the balances in the hands of the collectors of the customs and excise. Ordered to lie on the table.

Mr. Meheux from the India board, presented the papers moved for, respecting the rajah of Sassnea. Ordered to lie on the table.

The customs fees abolition bill was brought up, read a first time, and ordered to be read a second time on Wednesday.

The consideration of the report of the Irish militia service bill was postponed till Monday.

The House resolved itself into a committee on the Scotch distillery

distillery acts. Mr. Vansittart stated various inconveniences that arose from the present mode of collecting the duties on distilleries in Scotland, and concluded by moving, That they should be collected in the form mentioned in the resolutions which he was about to propose. These were handed to the chairman (Mr. Hobhouse), who took the sense of the committee, whether, as the particulars were to appear on the votes, he should then read them. The sense of the House being against reading the particulars then, the resolutions were agreed to, and the House resumed. Report the next day.

The second reading of the thread lace bill was postponed till Monday.

The Dublin paving bill was committed. Report the next day.

Mr. Foster rose, pursuant to notice, to move for papers relative to the corn trade. He accordingly moved for several accounts respecting the quantity of corn, flour, &c. imported and exported, between Great Britain and Ireland for the last twelve years, the drawbacks and bounties allowed during the same period for exports and imports of corn to and from Great Britain and Ireland, and the American colonies, together with the average prices.—Ordered.

MARQUIS WELLESLEY.

Lord Castlereagh moved for so much of a letter, dated the 4th of December 1800, of the court of directors to the Bengal government, as related to the transactions in Oude. Ordered.

Mr. Paull moved for the production of the correspondence of the Bengal government with Colonel Scott, respecting the arrangements made by Marquis Wellesley, pursuant to the treaty of Lucknow concluded in 1801. These papers had before been moved for, but there were thirteen omissions in the correspondence, all of them, in his opinion, of importance.

Lord Castlereagh, after what had passed the preceding night, trusted that he might be allowed to state how the matter stood. Strictly speaking, the late board of controul was not a party to the return at all, for it had been made by the present board, therefore if there was any thing improper in the discretion exercised, the present board was responsible. But he had no objection to state what would have been the course had they continued in office.

office. They had determined to keep back part of the papers, but left them in such a state that their successors might judge for themselves. However, he had stated confidentially to the hon. gentleman opposite (Mr. Creevey) his views upon the subject: they wished to withhold that part which related to the private character of the nabob vizier, which they considered it as disrespectful to him to publish. They therefore set aside five letters. There were also four or five paragraphs kept out of different papers, because they were to be found in other papers presented, and the reasons were stated in marginal notes. He had no objection, however, to the production of the omitted paragraphs, if the honourable gentleman wished to have them.

Lord Morpeth said, that they had thought of withholding some papers as being private and confidential, but if the honourable gentleman was of opinion that they would support his cause, he might have them. As to the letters respecting the private character of the nabob vizier, he thought that extracts from these would answer his purpose.

Mr. Creevey agreed in what had been said by his noble friend. After which Lords Castlereagh and Morpeth said a few words in explanation.

Mr. Paull said that he had come to the knowledge of these papers from the dispatch of the directors, and contended that such as he called for would not injure the character of the nabob. He thought, therefore, that the whole should be produced. He did not stand up for the character of the nabob vizier; but a more correct and dignified conduct had never been displayed by any European prince. From the oppression and tyranny which he had suffered, he had, to be sure, resorted to means to kill care, and if by this means he was unfitted for the management of his affairs, it was an additional reason why the papers should be produced. He then read one of the omissions from a letter in his hand; which one Lord Castlereagh pointed out in the printed papers. But Mr. Paull insisted that the tendency and bearing were different in the letters.

Sir Arthur Wellesley had no objection to the production of the papers in question, on the part of Marquis Wellesley. They would even be of advantage to his noble relation; but his cause did not need their support, and therefore he thought that those relating to the private

conduct of the nabob ought to be suppressed, because it ought to be considered that he was a Mussulman, and the publication might do him a great deal of injury in his own country.

After a few words from Mr. Wallace, the motion was put and carried.

Sir John Sinclair called the attention of the House to the subject of the state of the highways and broad-wheeled waggons. He was of opinion, from the statements of an ingenious mechanic, and other circumstances, that various improvements might be made in this respect. He would, therefore, move for a committee to consider the acts relative to the highways and broad-wheeled waggons, with a view to form proper regulations on this point, and report to the House.

Mr. Curwen seconded the motion, and a committee was accordingly appointed.

OUDE CHARGE.

Mr. Paull gave notice, that on the 10th of June he would move the consideration of the Oude charge.

The Speaker observed, that it was his duty to say, that the 18th of June had already been appointed for that purpose; and though an order might be postponed, it could not, according to the practice of the House, be accelerated.

Mr. Paull said, that the House had not been brought to this dilemma by him.

Mr. Fox requested the Speaker to read the question again: and, having heard it, said that the thing was impossible: an order might be postponed, but not accelerated; and he did not know what the hon. gentleman meant.

Sir Arthur Wellesley said, that as the noble lord was not in the House who moved the consideration of the charge on the 18th, he would propose, that the hon. gentleman should, in the mean time, call his witnesses, and examine them at the bar.

Mr. Paull then moved, that the 18th be inserted instead of the 10th of June.

Mr. Fox said, that the 18th had already been fixed upon; but the hon. gentleman might move, that his witnesses should attend on the 18th.

Sir Arthur Wellesley observed, that the noble lord who proposed the 18th, did it with a view to have a decision

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on that day. For his part, he only wished to have a decision this session. The honourable gentleman might call his evidence on the 10th, if consistent with the orders of the House; and it might be considered on the 18th. He hoped at all events that the matter would not be delayed beyond the present session.

Mr. Fox observed, that whatever might be the wishes of the honourable general, they could not supersede the established rules of the House. Evidence might be laid on the table, but oral evidence could only be taken when the subject was under consideration. The order then was to consider it further and further, as there should appear occasion. Though the honourable gentleman moved that his witnesses should be called on the 18th, yet it was not to be understood that they were therefore to be heard. He concluded by declaring that though the forms of the House could not be violated, yet that every facility ought to be given to the business, that the time of the House, and the interests of substantial justice, could allow.

Mr. Paull said that no one had ever in a similar situation, proceeded so rapidly as he had done. There should be no delay on his part.

Mr. Francis wished to know whether the hearing of evidence was equivalent to the taking a thing into consideration? If printed evidence was received before the period of entering upon the consideration of a subject, why should not oral evidence? If we could get over this difficulty, the evidence might be heard in the mean time.

Mr. Fox replied, that by the forms of the House, oral evidence could not be received except when a subject was under consideration, and this was the case: he apprehended, for these among other reasons, that proper limits might be set to the evidence, and that the members might have it as fresh as possible in their recollection.

Mr. Paull then moved, that the following gentlemen be ordered to attend the House, on the 18th, viz. Lord Teignmouth, General Sir Alured Clarke, General Sir J. Craig, Lieutenant-Colonel Edward Baynes, Major-General Frederick St. John, William Wright accomptant to the East-India Company, Colonel Alexander Kidd, and Richard Strachey, Esq.

Sir Henry Strachey said, that Mr. Strachey was under orders for India, and that it would be hard if he should be detained by the order of the House.

Mr.

Mr. Paull said, that this gentleman had been private secretary to the governor, during the transactions at Furruckabad and other places, and must of course be well acquainted with them. But he would still waive the order as to him, if it would occasion him any serious inconvenience, it being understood however that he was to attend, if he should not have quitted the country. Upon this Mr. Strachey was struck out of the motion, which was then agreed to.

Mr. Paull then moved for a return of the numbers and expence of the first regiment of European infantry, of the company of artillery and Lascars, of the Bengal native cavalry and infantry, and other regiments, between the years 1798 and 1799: together with an account of the sums expended for bullocks for their supply for a certain period, stating by whom provided and to whom paid. Ordered.

Mr. Foster, on the motion of Mr. May, postponed the second reading of the linen drawback bill till Monday.

INTERCHANGE OF CORN BETWEEN GREAT BRITAIN AND IRELAND.

The House, on the motion of Sir John Newport, resolved itself into a committee to take into consideration the propriety of a motion for leave to bring in a bill to establish a free intercourse between Great Britain and Ireland, in the mutual export and import of certain species of grain between the two countries.

The House accordingly resolved into a committee, Mr. Hobhouse in the chair.

Mr. Foster rose and observed, that there were some difficulties in the way of such a bill, which unless satisfactorily obviated, would present insurmountable objections to its being passed into a law. At present the corn-trades of both countries were regulated under acts of parliament respectively, which established in each country an average rate of price for the different species of grain, which average being attained in the home market, the ports were closed against exportation, and opened for importation; and below which price exportation was permitted, and importation precluded. This regulation was made with a view to prevent an excessive price of the necessary of life to the home consumer; and at the same time to allow every reasonable advantage to the agricultural interests in each

kingdom. Now by the proposed bill, as far as he was enabled to conjecture, although the price of corn in England should be above the average which admitted of exportation, yet the price in Ireland might be so much cheaper, as to admit the continuance of exports from thence; and therefore by the proposed bill, which he understood was to allow the free interchange of corn between both countries, without bounty or duty, the English merchant who wished to elude the law, and export British corn to foreign countries, would have nothing to do but consign it thro' the medium of Ireland; and *vice versa*, so might the Irish merchant elude the law of that country, by exporting through England. The only mode by which, in his contemplation, such mischievous consequences could be avoided, would be to restrain and regulate the corn trade of both countries by one general average from the mass of prices in both. The average in England was taken from a comparison of twelve districts: the Scotch trade was regulated by the British standard, and the Irish by an average of the prices in every part of the kingdom. Now by regulating the general export rate in all the ports of the United Kingdom, from an average of the whole mass of prices collectively, the evil would be obviated, which would otherwise be unavoidable, under the proposed bill.

To these observations, Sir John Newport nodded assent.

Mr. Weston expressed his readiness to give to Ireland every boon and advantage not actually inconsistent with the fair interests of Great Britain; and observed, that although so much had not been granted as was sought about two years since, yet he believed that what had then been granted, had been of considerable advantage to Ireland. He did not at present see any objection to the proposed measure, particularly if under the regulations and restrictions suggested by the right honourable gentleman who had just sat down; but he hoped it would be considered as a boon to Ireland.

Sir John Newport was ready to admit that what had been already done for Ireland on this head, had been of mutual advantage to both countries, and of as much to this as to Ireland: the great exporting grain from this country to Ireland was barley; of which in the last year, the quantity was 110,000 quarters; and the principal grain exported from

Ireland to England and Scotland was oats, of which the quantity was very great indeed, beyond the supply afforded by their own produce for their necessary consumption; and therefore the interchange of these grains alone, would be a considerable accommodation to the agriculture and consumption of both nations. He was very willing thankfully to acknowledge on the part of Ireland, any boon conferred by this country; but, at the same time, it must not be forgotten, that every such boon, so conferred upon the agriculture of Ireland, was given to the best customer this country had in Europe for her manufactures.

Mr. Foster begged leave to add a few words, in order to ascertain beyond misconception the object he had in view. In the way of the suggestion he had proposed, and which he understood was admitted, there were certainly difficulties, but not insurmountable ones. The average prices of corn in Ireland, by which its export and import were to be regulated, could be communicated to every outport in the Kingdom in five days after quarter-day. Nearly the same expedition could be obtained in a similar communication to the out-ports of Great Britain, with respect to the average prices here: but in placing both countries mutually under the same regulations, a longer delay must necessarily occur. Much of the difficulty however would be removed by consulting the aid of experienced and practical men, which might be done during the progress of the bill.

Lord Archibald Hamilton said a few words in approbation of the measure; after which

Sir John Newport moved, that the chairman be instructed to move the House for leave to bring in the bill; which was agreed to.

Reported forthwith, and leave was given to bring in the bill.

The Irish mail coach road bill was read the second time, and committed for Thursday next.

The second reading of the Nabob of Arcot's creditors' bill was deferred to Thursday se'nnight.

The further proceedings on the excise, stamp, and post-office regulation bills, and the Chelsea hospital bill, were deferred to Monday; and the House adjourned.

HOUSE OF LORDS.

FRIDAY, JUNE 6.

The Irish first fruits bill was read a third time and passed, and a message sent to the House of Commons to acquaint them therewith.

The property tax bill, the Irish sugar bill, and the Irish additional force repeal bill, passed through committees and were reported.

Lord Auckland presented the report of the board of trade made in 1784, relative to the trade between the West Indies and America, which was ordered to lie on the table and to be printed.

Mr. Baker and several other members of the House of Commons, brought up the Irish stamp duty bill, and four private bills, which were read a first time.

Mr. Irving from the custom-house presented returns relative to the commerce of Dominica, which were ordered to lie on the table and to be printed.

Strangers were ordered to withdraw, and the consideration of the evidence adduced on the trial of Lord Viscount Melville was resumed.

Their lordships continued in discussion till eleven o'clock, when the further consideration of the subject was deferred till Monday, on which day the judges were again ordered to attend. Adjourned.

HOUSE OF COMMONS.

FRIDAY, JUNE 6.

Lord Muncaster took the oaths and his seat for the county of Westmoreland, in the room of Sir Michael Le Fleming, deceased.

A message from the Lords acquainted the House, that the Lords had agreed to the Irish first fruits bill, the Irish revenue collection bill, and the Irish malt duty regulation bill, without any amendment.

A person from the office of customs presented an account of all duties of customs charged and outstanding, from April 5, 1805, to April 5, 1806. Ordered to be printed.

A person

A person from the tax-office presented an account of balances in the hands of the receiver-general of the land tax in Scotland. Ordered to be printed.

A person from the pay-office presented an account of the correspondence of the paymaster-general, relating to the auditing of regimental accounts from July, 1804.

On the motion of Mr. Vansittart, there was ordered to be laid before the House, a report of the experiments made to ascertain the comparative strength of malt, barley, and bigg, in Scotland. He then brought up the report, and on account of the accuracy and importance of the experiments which it detailed, moved that the report be printed; which was ordered accordingly.

Mr. Hobhouse brought up the report of the committee of the whole House, containing certain resolutions respecting duties on distillers in Scotland, and a bill was ordered to be brought in accordingly.

Mr. Hobhouse brought up the report on the Dublin paving bill, and the bill was ordered to be read a third time on Monday next.

On the motion of Sir J. Newport, the House resolved itself into a committee on the Irish malt and spirits duty bill. Report to be received on Monday.

ABANDONMENT OF THE TAX ON PRIVATE BREWERS.

Lord H. Petty then moved the order of the day for the House to resolve itself into a committee of ways and means, for the purpose of postponing it to Monday next.

The order of the day being read,

Lord H. Petty rose to say, that he proposed the present delay till Monday, for the purpose of altering the tax which he had lately submitted to the House. He still remained convinced however of the equity of the principle on which the tax on private brewers was founded, and continued to think that it went to produce an equalization of the price of beer to all orders of the community; to those who were supplied by the public brewer, and to those who brewed their own beer. But understanding that a considerable diversity of opinion existed on this subject, he felt convinced of the propriety of giving it some delay, and a full and mature consideration, in order that its justice might be fully understood and acknowledged. The mode in which the application of the tax ought to take place, would also deserve to be considered; namely, whether its object

object might not be better attained by increasing the duty on malt, giving at the same time a drawback to the public brewer, or by the way which he had already stated to the House. Feeling a strong anxiety, from the necessity of the times, that every attention should be paid to this subject, and at the same time anxious, from the responsibility imposed upon him, that his financial measures should obtain the support and concurrence of the country, he wished in the mean time to avail himself of the existing assessed taxes, and should, in the committee of ways and means, on Monday next, propose an addition of 10 per cent. on the assessed taxes, in the room of that tax, which he should relinquish for the present. But should he continue in the situation which he now had the honour to fill, he should think it his duty to propose, in the next session of Parliament, a similar tax to that which he had now abandoned.

Mr. Coke said, that he was astonished when he heard the tax on private brewers first proposed; and the more he had considered the measure, the stronger did his objections to it appear. He lamented that the noble lord should ever have been persuaded to propose a tax so hateful, partial, and oppressive. He regretted, when it was first proposed, that he should have had to oppose a measure, brought forward by gentlemen with whom he had voted for thirty years, on one steady principle, and to whom he looked up, rather than to any other set of men, for the salvation of the country at the present period. The tax which was now, for the present, relinquished, could only be considered as a boon held out to a certain description of persons, he meant the public brewers, who could hardly be considered as entitled to any such favour, when the quality of the commodity which they produced was taken into account.

Sir R. Buxton, who had from the first considered the tax as objectionable, was glad to hear, that the measure of introducing the excise into private families had been finally abandoned. But he was extremely sorry to learn, that the noble lord intended to persist in the measure, and again to bring it forward next year; though he trusted that he would, in the mean time, see reason to alter his determination.

Lord H. Petty replied, that he had already stated, that the regulation, as to the excise, had been finally abandoned;

doned; and he must say, that the various reports which had gone abroad on this subject were founded on gross misrepresentation. It had uniformly been his opinion, that the forcible introduction of the excise into private families could not be justified on any principle whatever. It was never meant that this part of the bill should be enforced, but that it should be left entirely to the option of the private brewer, whether he should submit to the laws of the excise, or pay the duty on the scale of the assessed taxes. He should ever contend, that the tax was fair and equitable in itself, as obliging the private brewer to pay in a just proportion to the other consumers of beer.

Mr. Baker thought, that the foundation of the tax, as originally proposed, was the introduction of excisemen *into* private families, and stated the result of a conversation which he had with the noble lord on the subject, which was soon after followed by an abandonment of that part of the measure. He trusted and expected that the tax would be relinquished altogether. From what he had seen of the candour and ability with which the noble lord filled his present office, he, for one, had certainly no objection to his remaining in that situation; but he was not prepared to say, with his hon. friend behind him, that the safety of the country depended on the continuance of the present administration. Indeed, from the experience of the last twelve years, he did not feel disposed to place the same confidence in *all* his Majesty's ministers.

Mr. Long observed, that the introduction of the excise into private families would have been attended with intolerable inconvenience, as they would thus have become subject to the various excise laws. With regard to the proposed addition of 10 per cent. on the assessed taxes, it deserved to be considered whether the increase might not be pushed so far, as to counteract the very purpose in view, and to diminish, instead of increasing, their general produce. At the same time this substitute met with his comparative approbation.

Mr. Fox was of opinion, that the tax in question was a good one, as putting the private brewer only on a footing of equality with the other consumers of beer. All that part of the measure which related to the excise was intended to be dropped; but he must say, that it only meant that every person should have his option; and that if, on the principle, *volenti non fit injuria*, any man should choose

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to submit to all the inconvenience of the excise, instead of paying on the scale of the assessed taxes, he might be at liberty to enjoy his option. This was all that was intended by the word "accommodation" which had been used, and on which the right hon. gentleman who spoke last had dwelt. But, on the whole, whatever might be his opinion with regard to the tax, he was glad that it was postponed for the present. In the difficulties in which the country was placed, we could only make choice of the least of two evils, and it became necessary for the House to consider, principally, what tax might be the least objectionable. With regard to the addition to the assessed taxes, there was reason to believe that it would be productive in some degree. It would be found impossible to avoid pressing, either more immediately, or more remotely, on the poorer classes of society. Even the assessed taxes must have this effect to a certain extent.

Mr. Wilberforce observed, that had the tax been persisted in, he should have congratulated the House, that the part respecting the excise had been left out; but he now felt still more gratified that the noble lord had relinquished the measure, at least for the present; and he must say, that the conduct of the noble lord on this occasion had increased that respect which he had uniformly felt for his character. He had shewed, that he remembered that he was the financier of a free country, and that the general stock of good-will towards the government should not be diminished. Had the tax been persisted in, he should not have opposed it, as he had already resisted a preceding measure, which he considered as hostile to the manufactures of the country; but he should have regretted the effects which he feared it would have had in many parts of the country, where it was common for families to brew their own beer—a practice which he should ever consider as equally favourable to comfort and sobriety, and as deserving of every encouragement. In the main, he considered the proposed addition of 10 per cent. on the assessed taxes as an excellent measure, though it might perhaps be better to make the increase greater on some of these taxes than on others. A very considerable increase on the tax on men-servants, for instance, would never bear hard on the poorer classes of society.

Mr. Johnstone expressed his astonishment and regret, that the noble lord should have abandoned a former tax,

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and relinquished the present, while nothing hitherto had been imposed for payment of the interest of the loan, except the trifling tax on appraisements, and on tobacco, &c. He contended that the principle of the tax was good, and that it only required courage and perseverance on the part of the noble lord to render it productive. He quoted the words of Dr. Adam Smith, who had long ago recommended a tax precisely similar, though he had proposed that the duty should rather be imposed on the malt, than on the private brewer. On the whole, he conceived that ministers had thought the relinquishment of the measure necessary for the support of the military plans of their right hon. colleague, and not produced by any conviction of its hurtful tendency.

Mr. Tyrwhit Jones thought, that had the tax been persisted in, the present ministers would have become as unpopular as any who had ever gone before them. He would advise the noble lord, however, to revert to the tax on iron, in preference to an increase of the assessed taxes.

Sir W. Williams Wynne observed, that private brewers generally used double the quantity of malt and hops to that consumed by the public brewer for producing the same quantity of beer; and therefore as much expence attended the private brewer, as the consumer of beer from public breweries. Besides, it was not always in the option of an individual to have recourse to public brewers; he could state, that in the whole principality of Wales there was only one man of that description.

Mr. W. Smith considered the clamour that had been raised against the tax as unnecessary and excessive. He thought, that if the people of that part of the country, with which the last hon. gentleman who spoke was connected, put less malt into their beer, both their health and their morals would be improved by the change.

Sir W. Williams Wynne, in reply, observed, that they used malt and hops, which the public brewers did not. *(Laugh.)*

Mr. Calvert was not aware of any peculiar pressure on the labouring poor, which had been produced by taxes lately imposed. The demand for labour had increased, and with it the increase of wages; but the middle ranks of society had felt the pressure much more severely.

Mr. Rose thought, that the situation of the public brewer was not such as called for favour and protection, by imposing a countervailing duty on private brewers. The quantity of malt used by the public brewer was inconsiderable, when compared with that used by the private brewer. It had been found, that the porter brewers of London produced three barrels and a half of beer from eight bushels, while the private brewer required ten bushels to produce a hogshead. It had been calculated that the public brewers produced as much from 2,400,000 bushels, as the private brewers from seven millions of bushels. He could not, therefore, see how the public would gain, by throwing the production of beer principally into the hands of the brewers; as what might be gained by the increase of the duty on beer might be lost by the defalcation of that on malt.

Mr. Whitbread declared, that the concern to which he belonged did not produce their beer in the proportions stated by the hon. gentleman who spoke last. So far as he recollected, the hon. gentleman's statement was not even correct; for the quantity there alluded to was not 3½ barrels, but 3¼ barrels. But even in that proportion he asserted that the calculation did not apply to the house in which he was concerned. Surely, however, it must be seen that the public brewer must know little of his trade, and make little of his capital, if he could not produce a better article out of a smaller quantity of malt and hops than a private brewer could.

Mr. Alderman Combe confirmed the correctness of this calculation, and observed, that the public brewer had great advantages over the private, in respect of the quantity from the same materials, arising from superior skill and machinery.

It was then ordered that the House resolve itself into a committee of ways and means on Monday next.

MUTINY BILL.

Mr. Windham having moved the order of the day for the third reading of the mutiny bill,

Mr. Wallace rose to express his disapprobation of the new regulations introduced into the bill, which he conceived to be unnecessary, and as only tending to preclude his Majesty from the exercise of his prerogative, because,

if he refused his assent to the new measure, he must withhold it at the expence of letting loose the army. He did not see what occasion there was for making this distinction between the pledge given by the crown and that given by parliament, but to degrade the royal prerogative. Neither did he see why parliament should now be called on to give their sanction to a measure which they might afterwards feel it their duty to accuse ministers for adopting. He did not know which most to admire, the rashness of the measure itself, or the meanness with which the right hon. gentleman had staved it off from time to time—to a time, he hoped, in which he would no longer have a share in the government of the country. What did the plan hold out to the existing army? That they should be relieved? No. They had fought our battles, but they were to remain in a state of confessed slavery, and were to receive no benefit from the new regulations. He should have less objection to the measure, if the men to be raised were to be placed in separate corps. But two men standing next each other in the ranks may know that the one is bound for life, while the other, who has served a shorter period, must be discharged within a few years. As to the idea that a better description of men would be procured, he did not believe it; nor did he like the mixture of soldier and citizen. It had been said, if the measure did not succeed, it could easily be rescinded. Of this, however, he was not so much convinced. It must first have gone on for 7 or 10 years, and then, impolitic as it might be found to have been, probably 70,000 or even 10,000 men would fall to be discharged.

Mr. Wilberforce declared, that he had not been able, till lately, to turn his attention to the consideration of this question; but upon considering it, he was convinced that it had been truly said, that it should not be considered merely as a military question, but as an appeal to the great principles of human nature, which gentlemen, who had not the advantage of a military education, might be competent to decide. In the consideration that he had thought it his duty to give to the subject, he had perused several of the military treatises which had lately been written, one by an hon. member of that House (General Stuart), and another professing to be a discussion of the present state of the English army, and both these treatises met with his decided approbation. This was a circumstance which he only mentioned, that the House might

not suppose he rose to speak upon a military question, without having previously taken any pains to inform his judgment. It was allowed on all hands, that the great question at present was, to increase the regular army. Gentlemen might differ as to the degree of necessity for the increase, but to him it appeared that a considerable increase of our regular army was necessary, to enable us to resist the enemy. If this country once possessed a large regular army, its naval power would give it great advantages in the use of it. If the enquiry, then, were simply to find out the most effectual means of increasing the regular army, the argument of his right hon. friend (Mr. Windham) appeared perfectly fair, when he supposed that the same measures should be taken to induce men to enter into the army, as would be taken to induce persons to enter into any other occupation where hands were wanting. The greatest inducement that could be held out was hope. Hope was the great stimulus to every exertion; and mankind were so constituted, that their happiness was more in the pursuit of a distant advantage, than in the actual enjoyment of it when it should be obtained. It was upon this great principle of human nature, that the nations which had most excelled in military renown, had wisely formed institutions which facilitated the advancement of men from the lowest ranks to the highest situations. Although from the measure as proposed by his right hon. friend, he hoped a great deal, and anticipated much good, yet he considered that the positive inducement to men to enter into the army must come from some other source. At present, whatever inducements there were to enter the military life, were balanced by the consideration that it is a step which can never be recalled, "*vestigia nulla retrorsum.*" They were also opposed by the opinions of parents and friends, who considered a young man ruined and lost to his family and friends for ever, should he embrace the life of a soldier. He considered then, that the principal effect of this measure would be to remove the obstacles and impediments which now stood in the way of recruiting, but that the positive inducements must come from some other quarter. He thought that the strongest inducement would be to see the means of promotion within their reach, and attainable in a short time. He thought that there was many a man who would not set great value on a distant advantage at the expiration of fourteen

fourteen or twenty years, but that if some kind of promotion or honourable distinction could be obtained in a few years, would feel strongly induced to aspire to it. He thought that the possibility of speedy promotion from the lowest situations of life to a higher one, would of itself be the most powerful inducement. Even small distinctions had great weight with the generality of mankind; for such was the littleness of human nature, that it was almost always by comparison that people judged of their own situation and of their own happiness. If they saw themselves ever so little raised above those who had been their equals, they were highly pleased and elated; and, on the other hand, it was often by comparing their situation with that of others, that many found out, or fancied that they were miserable. Distinctions that would hardly cost the nation any thing would to individuals be of great importance. Military men were at all times fond of such distinctions; and therefore the stars, the ribands, and the military decorations which were usually given to successful commanders, had always been reckoned among those things that formed "the chief defence of nations." He should wish that the system of those military decorations, as a reward of merit, should be much farther extended in the army, so that every man might entertain a hope that an opportunity might occur, in the course of one, two, or three years, when he might signalize himself by some gallant exploit, to gain some of those envied distinctions. He had heard, that at one time the late administration had thought of instituting something like an order of merit among the navy, and he hoped the noble lord who was now at the head of the admiralty would carry that idea into execution. He was convinced that such an institution would hold out the most powerful motives both to great exertions, and to make the service attractive. He could by no means agree with the objection that had been so much relied upon, that such a measure as this should have been carried into effect by the Crown, without consulting Parliament. He was surprised, indeed, at the quarter from which this objection proceeded; for if ministers had acted differently, and, of their own heads, introduced a change so important in the military system of the country, and which appeared to those gentlemen so very objectionable, would they not, on much stronger grounds, have charged his Majesty's ministers with

with presumption, in following entirely their own opinions, and not giving the country the benefit of having this important question fully discussed before it was decided on? The practical effect which he expected from this measure, would be in the general impression in its favour. Persons were much more apt to judge of their condition from the opinion of others, than from their own feelings; and when the condition of a soldier should be generally thought a good one, all the great objections which now exist would disappear. He thought it might perhaps be better to extend that system a little to the regular army now existing. It was somewhat revolting to the feelings of every humane mind, that a man, who entered in the army in some unguarded moment, should be told, that he should be kept there for his life; and it was almost an insult to common sense, to tell him, that as his act was voluntary the country would hold him rigidly to his bargain. It appeared to him, that the system was likely not only to increase the number of our regular army, but to improve, in a considerable degree, the quality of the soldiers. He considered, that the tone and character of the British army would be highly improved by it. The strong reason which induced him to think so was, that in consulting the history of all military nations, he found, that beginning from the history of the Grecian states, and going down to the history of the present day, it was an universal truth, without a single exception, that the armies of free nations fought with more spirit, and achieved greater actions, than the soldiers of those nations that were not free. This was proved by the history of all nations: by none more than of England. It was not until Magna Charta had been obtained, and some degree of civil liberty established, that England, which a short time before had been conquered by the Norman invaders, was able in her turn to invade France, and make her enemies fear her on the other side of the water. It was from its liberty, that it obtained its military reputation, and its means of defence. It was a pleasing and grateful thought, that, when the Almighty bestowed freedom on a nation, that blessing itself ensured the protection of the country, as long as the animating principle was preserved. The soldiers of free nations were always remarked for a certain elevation of character, and noble daring, which did not belong to the character of other nations. The French never fought with such enthu-

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siasm and success, as when their armies were animated with the name and hopes of freedom. If the present order of things, however, continued in that country, he should venture to say, that all their ribbons and legions of honour would but ill supply the place of the inspiring principle of liberty, and that the character of the French armies must gradually decline; whereas, the energies of the British army would be considerably increased by extending to them the feeling, that British soldiers are free men, and that they fight for a free country. He also considered, that this measure would immediately operate to prevent desertion, and by improving the character of the army, tend gradually to diminish the severity of punishments. He could not agree with those who thought, that if this measure were once adopted, it could not be departed from. He, indeed, wished that the experiment should have a fair trial, which would require at least ten years; but if it were then found inefficient, another system might be pursued. As to the great discontent that many gentlemen had supposed would, in such case, prevail, experience had shewn, that this apprehension was ill founded; for, in the time of the American war, there were many enlisted only for the war, who served in the same regiments with soldiers enlisted for life, and no such discontents were then heard of. Neither could he see that any such discontents were likely to prevail in the navy, for the sailors were in fact only serving for a limited term, and expected their discharge at the conclusion of the war. He could not allow that the plan deserved the name of a theory or a speculation; it was built upon the general principles of human nature, and upon the known effects which the history of all nations proved to result from those principles, and in this sense it must be said to be founded on experience. The mere opinions of an individual might be erroneous, but the great principles of human nature were unchangeable, and always true. Mr. Wilberforce concluded, by observing on the advantages likely to result from the improvement in the system of colonial service; and took that opportunity to state how strongly he was impressed with the idea, that it was the continuance of the slave trade, and the state of barbarism our slaves were kept in, which principally occasioned the necessity of sending annually thousands of our soldiers to protect the whites in the West Indies, not so much from the

the foreign enemy, as from their own slaves; and it was this West India service which was at the same time the greatest drain to the British army, and the greatest discouragement to its being recruited. He concluded by declaring, that in every view he could take of the question, the system now proposed had his most hearty concurrence and approbation.

Mr. Addington said, that as this would probably be the last time the subject would be discussed in that House, he could not avoid shortly expressing his sentiments upon the important question then before them. He thought that his right hon. friend (Mr. Windham) had not been handsomely or fairly treated, when his plan had been so often called a whim, and a wild and fanciful theory. The word theory was generally applied to systems, and opinions hastily adopted: but the gentlemen on the other side of the House had been complaining, week after week, and day after day, of his right honourable friend having taken so much time to consider and mature his plan, before he presented it to the House. In the full responsibility of the measure, not only his Majesty's ministers in that House, but a noble lord in the other (Lord Grenville), would willingly take their full share. As for himself, though he had no share in the responsibility, yet when he heard his right hon. friend charged as a rash and hasty speculator for introducing it, he must say, that he so perfectly approved of it, that he should wish his political character in that respect to stand or fall with that of those who introduced this measure. A good deal had been said in the course of the discussions that had taken place on this question, of the opinions of the general officers not being laid before that House. The opinions of officers were given upon a question referred to them by the commander in chief, and which was different from that which was now under discussion. The question which had been referred to them was merely between limited service and service for life. There were, however, in the present plan, so many auxiliary inducements combined with the proposed limitation, that the question then to be considered was totally different from that which had been referred to the general officers. As to the motives which induced men to enlist, he believed the non-commissioned officers could speak better than the generals; but every man of common sense, and who was at all acquainted with the character of the English nation, might

might form a good judgment on that subject. He considered that the casualties of the army, reckoned at 15,000 annually, would not be near so great in future, as the principal part of it, arising from desertion, would be in a great measure done away. He was much more sanguine in his expectation of immediate success than his right hon. friend, and conceived that it was in his character a trait of that generous policy, which, according to the practice of our ancestors, legislated as much for the good of posterity as for the present time. Some gentlemen had said, "we were well enough as we were." Whoever would look on the map of Europe, and see nothing but France, excepting the territories of our magnanimous allies, the Emperor of Russia and the King of Sweden, could hardly bring himself to think that "we were well enough as we were."—After commenting for some time on the description a noble lord had given of the state of the country, when he considered that ministers reposed on a "bed of roses," he shewed how much that situation had been changed for the worse, in consequence of the failure of the coalition in the last unfortunate campaign, and concluded by expressing his firm conviction, that this would not only be a most efficient measure, but that, in time, it would be a very popular one. He had conversed with many military officers on the subject, and they had all, without exception, considered that the army would be benefited by it. He also had conversed with several soldiers who had been discharged, and they all agreed that such a measure would be "the making of the army." This, he was sure, would be the general feeling of all the soldiers in the army, and of all those classes from which soldiers were to be obtained, and he therefore thought that the measure was the most likely for rapidly recruiting the army.

General Tarleton said, the right honourable gentleman (Mr. Windham) looked to the army not as an Englishman and a soldier, but as a philosopher, and as a philosopher of a very bad school, who knew nothing of the human mind on which his speculations were to operate. The General had some experience of limited service in Portugal, when the Baron De Rolle, who had the command of a Swiss regiment, did not dare put them to ordinary duty, lest those whose time was expiring should quit the military life. Then wit, imagination, history, and every thing

else was pressed into the debate, excepting what belonged to it, for the mere purpose of doing what the lawyers called "blinking the question." Among the rest, the French service was held up as an example, and he would admit the wisdom of the maxim, *Fas est ab hoste doceri;* but in the present case the precedents adduced had either no application at all, or were opposed to the argument of the right honourable gentleman. The truth was, the officers of the army had been heartily tired of the prolixity of ministers. Colonel Manly Power wrote, that he was gaping for what Mr. Windham's plans would be *(a laugh);* He was completely sick of waiting for the system, and that he had applied for a month's absence, as every thing was at a stand-still. He added, that he had removed his small battalion, and that his men were doubled by the additional force bill; and further, that every man fit for general service had volunteered into it on receiving the bounty. An honourable gentleman (Mr. Grattan) had talked of Roman discipline, and then had reverted to his favourite republic; but what applied to the Roman phalanx and legion was wholly inapplicable to modern warfare. The Honourable Judge Advocate had spoken of Scotland, as of a country peculiarly sensible where money was concerned, as if the Irish and English were not equally susceptible of the mercenary feeling. The General did not understand either the policy or the propriety of this local reasoning. From the view he took of the measure, it appeared to him most unwise and dangerous, and he hoped its progress would be interrupted before so fine an army was impaired by such fanciful schemes.

The Lord Advocate of Scotland did not exactly know to whom the honourable general alluded, when he styled him judge advocate, and his doubts were not wholly removed when the allusion was made to his observations, for they did not seem to have been correctly understood by that gallant officer. Limited service was the most successful way of procuring men; and to suppose they could not judge of the advantages of limited service, because they had not sustained the character, was as absurd as to imagine that a young virgin could not be acquainted with some of the blessings of marriage because she had not before entered into that happy state. In the country in which he was best informed, the men were not obtained by hanging a purse upon a halbert; they took rational

views

views of their situation, and on these formed their determination. With those gentlemen on the other side, who had considered perpetual service so acceptable, he should be glad to handle such a weapon, and engage on the recruiting duty with them. What would be the arguments they had to offer to the generous youth of the northern mountains, who loved the wilds of which they were natives, because they were the favourite seat of liberty? "Hasten with us, (they must say) and resign your country. Enter the wild world, and forget the soil of your birth. Leave your fathers and relatives to their romantic hills and fruitful vales, for to them you shall never return." Such must be the invitation they must employ. But what would be the language to which he would resort?—"Young men (he would exclaim), the love of your country clings about your hearts; filial duty, honour, and affection, are dear to you as existence; you revere the fraternal attachment, and will surrender none of the sacred obligations of domestic life. I know you will despise all danger in the defence of these fond objects of your solicitude: advance then with me to the field of virtue and glory, and, if you survive the conflict, you shall return to the arms of your relatives, and to the bosom of your country, covered with those laurels which shall command the respect and the gratitude of your compatriots." With such inducement, and such hopes, thousands would flock to the standard of their sovereign; nor would they cast "one longing, lingering look" toward their native homes, until the war was terminated; for they would know, that, if they presumed to relinquish the scene of their duty, they would return to parents and relatives, who would consider their appearance among them derogatory to Scottish valour. When gentlemen talked of the future and remote disadvantages of the plan proposed by his right honourable friend, they reminded him of a dispute regarding a canal between Edinburgh and Glasgow, for the supply of coals. In one direction it passed through a vale without the smallest interruption, on a perfect level, and the tract through which it was to pass contained a supply of coals for three centuries: in another it was to be obstructed by sixty-seven locks, and to be elevated seven hundred and fifty feet above the surface of the sea, but the supply of coals was sufficient for five centuries. It was a disgrace to the good sense of the country, that like this bill the former channel had numerous opponents. The temper

of the hardy Caledonian, to whose bravery the nation had been so often indebted, was little known. Tell him to abandon the fond scenes of his youth for ever, and he will retire to the deep recesses of his mountains: indulge the expectation that he will, after a term of peril and fatigue, revisit his domestic hearth, and he will accompany you round the globe. His wants are few, but without freedom nothing can satisfy his desires. Donald, the peasant, had three wishes to express; the first was, 'fill my cap full of snuff;' the second, 'fill my barn with whiskey;' for the third, his invention, uninstructed by luxury, was deficient, and he exclaimed, "fill my cap again with snuff.' Such (concluded the Lord Advocate) are my notions of the operation of this project in Scotland, and it shall receive my hearty support.

Mr. Johnstone thought that the learned lord approved this measure only on account of the men who proposed it, as he had said that men could not be procured under the additional force act, where the advantages to the recruit were greater. He contended that in the present state of Europe none but the lowest orders could be expected to serve as soldiers. He had but little faith in the energies which had been ascribed, particularly to the soldiers of a free country, as the militia of a free country would always be superior to the regular army of a despotic government. He admitted that the army ought to be augmented, but thought an addition ought to be made by enlisting from the militia.

Mr. Whitbread contended that the object of his right honourable friend was to put an end to all the theories which had been brought forward for a long time past. Like a skilful surgeon, he was removing the bandages, in order that nature might have her way. He mentioned these theories, such as the quota bill, the provisional cavalry, the army of reserve act, and the additional force act, all of which had failed. He denied that there was any danger of exciting mutiny or discontent from this measure. He also contended that the calculations respecting the expence had been erroneous. He denied that this measure trenched, in the smallest degree, on the prerogative of the crown; for, unless the mutiny bill was passed every year, the King could not have a soldier. The instance of the East India Company's soldiers was an answer to the objections relative to the colonial service. He contended that there

was

was no danger of a relaxation of discipline, as soldiers never loved a commander the better for great remissness in this respect. He suspected that those who opposed the measure did it from a desire to get into their places. One noble lord was so fond of place, that he thought he was reposing, while in place, on a bed of roses. He might have had some tossings and tumblings, and have felt some of the roses folded under him, a circumstance which had given pain to a certain voluptuary. The expression of his right honourable friend, now no more, "Oh, my country!" was not one which might be expected from a person reposing on a bed of roses. Another gentleman (Mr. Canning) did not consider the harness but the horses, not the measures, but the men. Here, however, there were both good harness and good horses.

The question on the third reading was then put and carried.

Mr. Sturges Bourne then rose, and adverted to the difficulties to which both Houses were reduced by this measure. Here the members were deprived of the usual opportunities of discussing it, by its being proposed as a clause in the mutiny bill, and that in a committee. The bill, too, must pass before a certain time. The other House would be in a worse situation; for this being a money bill, they would make no amendments. He contended that the prerogative of the crown was trenched upon; and, after adverting to the usual topics of the expence, the danger to the discipline of the army, &c. &c. he concluded by moving his amendment, that the services of the soldiers should continue during any war existing at the period at which they might otherwise be entitled to their discharge.

Lord Henry Petty observed, that the clause to which the honourable gentlemen opposite principally directed their attention, did nothing more than what amounted to a declaration of the legislature, to continue for seven years, what formerly they were considered only to allow one. But the necessities of almost every state in Europe were now so much increased, that his Majesty's ministers had felt it incumbent on them to make additional demands upon the population of the country for the preservation of the whole: this was but a modification of the royal prerogative, by which the King is entitled to call on the whole of his people to rise in arms for the support of his crown and dignity, as well as for the defence of the rights and

and liberties of a free nation. What was the army of reserve act, but an additional demand on the population of the country? What was the additional force act but an additional demand on the population of the country? And what had his right honourable friend done but to make the additional demand on the population of the country more simplified and effectual than it had as yet been made by any other plan that we had seen brought forward? Much as he admired the general character of the British army, he could not avoid observing, that the desertions were now become a disgrace to that army; but the system of his right honourable friend would be most likely to an effectual stop to the practice, by withdrawing the temptations which led men to desert; their condition would be bettered, and they would be certain of having an opportunity to exercise their own choice at a definite period. Gentlemen said, that in a time of war we should not adopt any new theoretical experiment. He was well convinced, however, that a time of war or danger was not a time in which we should give way to any feelings of fear. This reminded him of an anecdote told of a very brave man, who, being asked how he would act if he were on the top of Salisbury steeple, replied, Just in the same manner as if I were on Salisbury plain. And there could be no doubt that in time of danger true wisdom consisted in acting with steadiness and courage.

Mr. Canning rose not only for the purpose of replying to the noble lord who had spoken last, but of recapitulating as shortly as he could the leading arguments by which this measure had been opposed, and which remained at this period of the discussion wholly unanswered; of reminding the House of the state in which the question now stood; and of conjuring them to avail themselves of this last opportunity, which was afforded them by the amendment of his honourable friend (Mr. S. Bourne), if not to save the regular army of the country altogether from the peril of the projected innovation, at least to disarm that innovation of part of the mischief with which it threatened to be attended.

The precise object of the amendment is to prevent the operation of the discharges during war: to prevent, if possible, the dismemberment or dissolution of the British army, at periods when the very safety of the country may depend upon its being kept together. The noble lord who spoke last has either misunderstood or dexterously mistated the purport of this amendment. He has argued against it as if its

its avowed object had been to prevent the passing of this bill during the war; and he has told us that, in his opinion, the time of danger is the properest time for the display of additional courage and magnanimity. The noble lord has illustrated his proposition, (according to the custom of the treasury bench, when argument is wanting,) by a story, the authenticity of which it is not necessary to question, of some wise and gallant individual, who appears to have obtained a great share of the noble lord's admiration, by replying to a person who asked him 'What he would do if he were on the top of Salisbury steeple?' 'That he would do on Salisbury steeple precisely the same thing that he would do on Salisbury plain.' This reply the noble lord considers as fraught with wisdom and magnanimity, and as affording a brilliant example to Parliament and to the country. In point of wisdom, perhaps, it is not easy to decide between the person who asked the question and him who answered it. It may be matter of surprize, indeed, that the answerer did not reply to the querist by another query, namely—'Why in God's name he should go to the top of the steeple at all?' What it was that he was to do when he got there, the noble lord has not condescended to inform us, nor would it perhaps be becoming to suggest; but among the few functions which a man in that situation could possibly perform, there does not appear to be any one which is peculiarly worthy of the imitation or attention of the House, or which might not have been performed with as much advantage and satisfaction in a horizontal direction upon the plain as in a perpendicular one from the steeple. *(Loud and repeated laughter.)* But however splendid this individual achievement may have been in the noble lord's opinion, he must see that as an illustration it is not good for much, unless it be the noble lord's intention to contend, not only that we ought to behave with steadiness and courage in time of actual danger, but that it is expedient to create dangers, and to place ourselves in situations of peril, purely for the sake of exhibiting our magnanimity. Such would be the failure of the noble lord's argument, even if applied to the question as he has argued it, of commencing this system in time of war: but the object of the amendment being, as has been stated, to suspend the operation of the system during future wars, it would be difficult to make out any claim of magnanimity on our part for inflicting on posterity evils which we do not encounter ourselves.

What

What objection can reasonably be offered to this amendment we are yet to learn. To the principle of it the right hon. gentleman (Mr. Windham) has subscribed, when he admitted an extension of three years' service in the case of discharges becoming claimable during war. This admission is of itself sufficient to acknowledge the necessity; but it is not sufficient to remedy it. On the other hand, it breaks in upon the certainty and definiteness in the term of service, which the right hon. gentlemen has urged as the main advantage of his whole system; it breaks in upon it sufficiently to destroy the inducement arising from it, at the same time that it does not meet the evil, the apprehension of which alone can justify any such infraction.

Quitting, however, the narrower ground of the amendment immediately before us, the noble lord has gone into the more general topics upon the subject of the bill, but I think without being fortunate enough to supply that degree of argument and conviction which has been so much desiderated from the other side of the House. One point, however, he has entirely omitted, upon which it would have been particularly desirable, and from that noble lord it might perhaps have been reasonably expected, that we should derive some information, I mean the question of expence. The right hon. gentleman, the author of the bill, expressed, on a former night, a wish that he had found leisure to look over the calculations, a wish in which the House and the country may have good reason to join. My hon. and learned friend near me, (Mr. Perceval), and my noble friend, (Lord Castlereagh), upon this acknowledgment, that ministers had not turned their attention to the subject, —ventured to suggest, with all becoming deference, such rough and imperfect estimates on this head as the few data in possession of the House, and the unenlightened diligence of men out of office, could furnish. But these suggestions were so ill received, so confidently scouted, as full of error and exaggeration, that it became impossible not to suppose, that though the right hon. gentleman, whose immediate business it was to bring in the bill, had not had leisure to look into this material part of it, some other of his Majesty's ministers had thought it their duty to take the task off off his hands; and when the chancellor of the exchequer rose, it was natural to look to him for information upon a subject not wholly unconnected with his department. Upon this subject, however, the noble lord has not said one

word; and the House is now called upon to pass a bill which obviously and notoriously entails a vast expence upon the country, without any official estimate, without any ministerial statement, without the smallest information by which to form a calculation, or even a conjecture, as to the amount of the burden which they are imposing. All that we know is, that three hundred and thirty thousand pounds a year (for of so much we have an estimate) is a part only, and a small part, of the whole amount. With respect to the remainder, the only intelligence that we have been able to obtain, is, that the expence will not be so great as it was estimated by my noble friend, namely, about two millions a year.

Another main objection to the whole of this plan, which the right hon. gentleman who introduced it had never condescended to answer, the noble lord and others who preceded him in this debate have this night attempted to remove: I refer to the difficulties attending the colonial service. The noble lord instances the practice of the East India company, who engaged their recruits for limited service, (a term of five years), and who, as the noble lord avers, never in any instance broke faith with them in India, and suffered no inconvenience from adhering to their engagements. I will not enter into the question of good faith; the testimony on that point is certainly not unanimous. It is sufficient to remark that, whether from feeling any inconvenience or not, the India company have some years since, at the suggestion of Lord Cornwallis, wholly abandoned that mode of enlistment; that there remains, I believe, but one battalion whose service is upon that tenure; and that with the exception of that battalion, all the troops now serving in the East Indies are enlisted for an indefinite term. It may be added, that the whole of the troops so engaged for limited service never amounted at any one time to 5000 men; a very insufficient precedent for placing the whole British army on that footing, and a precedent which we ought surely to have some better reason to induce us to adopt, than the fact that those who formerly practised it have now finally abandoned it.

Finding little support from the practice of past times in the East Indies, the next resource is to look for consolation in what futurity is to bring about for us in the West. And here, Sir, agreeing, as I most cordially do, in the opinions and feelings of my hon. friend on the bench be-

low me (Mr. Wilberforce), respecting the great question of the abolition of the slave trade, I really cannot help lamenting (and I am sure I say it with every possible respect to him), that his wishes upon this subject should so far have warped his judgment, as to lead him to believe that he saw in the speedy abolition of the slave trade a safe and certain solution of all the difficulties of colonial service. The slave trade once abolished, my hon. friend tells us, the whole system of negro slavery will be so mitigated and improved, that the internal defence of the islands may be entrusted in a great measure to their own labouring population.

I can truly say, Sir, that I would not willingly damp my hon. friend's ardour in this great cause, nor would I abate a jot of the sanguineness of his expectation, if sanguine expectation were of itself a security for speedy accomplishment. But after twenty years of annually repeated failure, I do not think that one can rationally look with so much confidence to immediate success. God forbid that this consideration should discourage my hon. friend, or slacken his exertions for the attainment of his object! but I cannot agree with him in reckoning upon that object as already attained, so confidently as to begin already to anticipate its consequences, still less to consider them as immediate and available. The warm heart and eager imagination of my hon. friend must have been cruelly imposed upon, if he has been persuaded to consider the abolition of the slave trade as linked with the measure now before the House; and though I should be glad to account, from so amiable a motive, for the support which he has (otherwise I think unaccountably) given it, I am afraid that it is but too easy at once to subvert and destroy the very foundation of the supposed connection between the two measures, by shewing him that this clause for limitation of service is precisely that which would make the use of a negro force to any considerable extent unavailable, even if by the abolition of the slave trade, and the consequent amelioration of the situation of the negroes, it should have become in other respects safe and desirable so to employ them. Nay, I am much mistaken if this alteration of the term of service does not strike at the root of the establishment of black corps, even as far as they at present exist. It certainly would do so if the negroes were in that state of improvement which my hon. friend anticipates. I request my hon. friend to look at the clause in which the oath to be

taken by all soldiers is prescribed; he will see that there is no exception or qualification whatever; and he will see, therefore, if I am not much mistaken, that a negro enlisted under this mutiny act could claim his discharge at the end of seven years. Now, whatever confidence my hon. friend may have in the dispositions that are to grow out of their improved situation hereafter, I do not apprehend that it can be even his project to fill the Islands with disbanded negroes, who have been seven years practising the use of arms. Possibly this difficulty may not apply to the present moment, when the corps are composed of purchased slaves, and, in a great measure, I am afraid of slaves recently imported from Africa; but if ever the moment arrives which my hon. friend so fondly anticipates, when the negro will have become enough of a citizen to be (in his apprehension) safely trusted as a soldier, this improved condition, combined with this improved mutiny act, must necessarily lead to the consequences which I have mentioned.

But after all, can any thing be more wild and visionary than to refer us to the distant and doubtful consequences of the success of a measure which has failed for twenty years, for the only solution which ministers, after all their deliberation, are at last prepared to give of a difficulty of of their own creating? Better almost would it have been to have confined themselves within the safer, because unmeaning, and therefore unanswerable, assertion of the right hon. gentleman on a former night,—that he had no doubt something would be discovered to remedy the inconvenience, though he did not pretend to be the person to discover it!

Such and so insufficient being the answers which are at last provided for the objections which have been urged against the measure in this stage, the noble lord indulges himself in a triumph over other supposed objections, which, because they have not been re-stated this night, he thinks himself at liberty to consider as altogether abandoned. 'We hear no more,' says the noble lord, 'of the alarm which was taken early in this discus-'sion, and which was attempted to be spread throughout 'the country, of the too great military force which was to 'be put at the disposal of the crown, to the danger of 'the liberties of the country. This doctrine has now given 'place to another of a different sort, and wholly incon-'sistent with it; we are now told of the encroachment

'upon the prerogative of that crown whose extended 'power before was to fill us with apprehension.'

Begging the noble lord's pardon, there is no such inconsistency in these arguments as he is pleased to impute to them; nor is that one of them which has not been stated to-night, therefore to be considered as abandoned. It has not been stated to-night simply because it does not apply to the particular point now under discussion. It was urged at the outset of these discussions as applying to the general scope and tendency of the right hon. gentleman's whole plan, of which the measure now before us is a part: of which plan, considered as a whole, the tendency was argued, and I think demonstrated, to be the discouragement and destruction of all those species of military force, which it has been the practice and the policy of this country to employ for home-defence; and to which, consistently with the spirit of the constitution, its internal defence may best be intrusted. It was urged, and I think unanswerably, that the tendency of the right hon. gentleman's plan, (if not its avowed object) was to discourage the volunteers, to undermine, and finally overturn the militia establishments; to abolish and proscribe every mode of raising from the bosom of the country any sort of force which Parliament has hitherto been in the habit of raising; and it was contended that the inevitable consequence, (as it was the undisguised desire) of the projector of this plan, was to raise and maintain a huge unbalanced regular army. It was affirmed (and can the noble lord deny it?) that against such an army no free state had long maintained its freedom; and it was contended, not that our military exertions ought therefore to be less, but that our military force ought to continue to preserve that character of variety which is so odious in the eyes of the right hon. gentleman, but which it cannot lose without a departure from the practice and the principles of the constitution.

In this general objection to the right hon. gentleman's whole theory of military improvement (which I am not sorry to have an opportunity of re-stating and re-affirming), what is there inconsistent with the objection stated to this particular measure, that it takes the management of the King's army out of the hands of the King? Because we feel a jealousy and apprehension of the project of having *nothing but* a regular army in the country, does it therefore follow, that we are not to disapprove of innovations,

innovations, as dangerous as unnecessary in the constitution of that army? I would leave the King's authority over the regular army entire as I find it; but I would not trust the whole defence of the country, internal as well as external, to that army alone. Is there any thing contradictory in this statement? Leave us our constitutional force, and there is no danger from the regular army. But it is a poor device first to break down every other force upon which the country has relied, and to which the constitution is partial, and then to think that we can remedy the inconvenience by taking the government of the regular army into our own hands.

Equally unfounded is that part of the noble lord's statement in which he imputes as an inconsistency and absurdity to those who have agreed with him,—with his right hon. friend, and with all mankind,—in the necessity of keeping up, under the present circumstances of the world, large military establishments,—that they now complain of the vast drain and demand upon the population of the country; and that after concurring in the wish that the country should be militarized as much as possible, they now oppose the means best calculated to produce that effect. The whole of this statement proceeds upon a mistake of one argument, and an assumption of another. I never heard it stated, I am sure I never stated it, as a matter of complaint, or even of regret, that there was so large a drain and demand for military service upon the population of the country. I have stated it, and I have heard it stated, as matter of fact; and as affording a sufficient answer to those who, because the regular army could not be augmented on the sudden to the proportion which they represent as necessary, have thought themselves therefore entitled to despond as to the military means, or to discourage the military spirit of the country. And as to opposing the measures by which those military means were to be concerted, and that military spirit to be encouraged and extended, the justice of that imputation depends upon the assumption of the fact, that the measures devised by the right hon. gentleman are in truth the best calculated for that purpose, and upon the further assumption of our acknowledgment that they are so.—We acknowledge no such thing: we oppose the right hon. gentleman's plans, because we think them *not* the best calculated for this purpose; because we differ from him, as to his opinion that all the other military establishments of the country would be wisely

wisely and cheaply sacrificed to procure a comparatively small numerical increase of the regular army; because we think directly the contrary; because, desirable as the augmentation, to any amount you please, of the regular army may be, we would rather acquiesce in that augmentation being more limited or more slow, than sacrifice at once all the other military establishments of the country for the purpose of hastening and extending it. In this difference of opinion I will admit for a moment that the right hon. gentleman may be right, and we wrong; but it requires arguments, and better than any I have yet heard, to prove us so; and till that has been proved, it cannot be asserted with truth, that we are wilfully opposing that which we have acknowledged to be best calculated to obtain our object.

And this, Sir, leads me unavoidably to the recollection of the opinions expressed on a former night by the right hon. gentleman opposite me, (Mr. Fox), respecting the general state of our regular force, and the expediency and necessity of maintaining and extending it as much as possible: opinions, which, coming from a person of his pre-eminence both in talents and situation, from one whom it is impossible to consider as any other than the leading minister of the country, could not but excite the most serious attention and solicitude. I am ready to allow, that with much, indeed with most, of what the right hon. gentleman has said on that occasion, I cordially agree; indeed upon much of it there could be no difference of opinion. He told us that with an extensive and efficient regular army, an army not only in as perfect a state of discipline and military spirit as he admits our present army to be, but augmented to such an extent as to bear nearly the same proportion to the armies of the other powers of Europe, and particularly of France, as subsisted between our army and theirs in those periods of our military history to which we refer with most exultation, the wars of King William and Queen Anne;—he told us, that, with such an army, he would engage to maintain the interests and honour of the country; that, with such an army, he would continue to vindicate our rank among the nations of the world. And he added most justly, and if with justice, I need not say, with that commanding eloquence with which he is always able to enforce any proposition, (but which was perhaps hardly necessary to enforce this, in which there is so general a concurrence), that it was

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by maintaining our rank among nations, and our connection with the other nations of Europe alone, and not by any fanciful and selfish system of separate interest and insulated policy, that we could ultimately hope to maintain even our own independent existence. All this, Sir, I heard with admiration, and still recollect with satisfaction. But that which was wanting to complete my satisfaction, that which I still feel to be wanting, and which I wish I could hear the right hon. gentleman this night supply, is the other alternative. 'Give me a great army,' says the right hon. gentleman, 'such as I describe and require, and 'I will answer for the honour and interests of the country.' But how, if after all our endeavours, if after resorting to every practicable plan for encreasing the regular army,—how, if it should so happen, that physical causes, that the insurmountable difficulties arising from a limited population, combined with the demands of other concurrent and indispensable services, should prevent us from gratifying the right hon. gentleman with an army to the full extent and amount which he requires? How are we then to understand the right hon. gentleman? Are we then to understand his pledge as retracted? Are we to understand, that the right hon. gentleman puts wholly out of the account in the estimate of our relative strength and power as compared with those of the enemy, all those circumstances in which our superiority is not only unrivalled, but unquestioned; and despairs of the safety of the country unless we can acquire a similar superiority also, in respect to that species of power which the physical means of our enemy enable them to maintain upon a scale which it is impossible for us to equal?

If indeed the right hon. gentleman had been applying his argument to that system of insular policy which he very properly abjures, and confining his views, as he very properly disdained to do, to the mere question of domestic security, I admit that the argument would be a sound one: undoubtedly no nation can be great or respected abroad which is not confident of its safety at home; but of this there is now I trust no question. I trust that the sufficiency of our means, and provision for home-defence, is no longer matter of anxiety. Nor did the right hon. gentleman, to do him justice, consider it in that point of view. But if the right hon. gentleman meant to say, that unless we, with our 14 or 15 millions of population, can, after providing amply for our home-defence, after manning

manning a navy such as the world never saw before, after garrisoning all our distant colonial possessions,—maintaining at the same time the manufactures and industry of the country;—if he means that unless under all those circumstances, and after all these deductions, we can furnish invading and conquering armies, capable of equalling those which the undivided efforts of the enemy have raised from a population more than double in number, that unless we can do this, we must be content to abdicate our station, and sacrifice our honour; if this be the right hon. gentleman's meaning, I confess I do not know how sufficiently to express my regret at hearing such sentiments from the mouth of a British minister at a moment like the present. I regret it the more, because them sentiments agree too much with those which the whole French school of politicians have for the last ten years been labouring to inculcate. The notion that territory and population form the only two legitimate bases of national power, that it is upon them alone that a nation can either establish its own intrinsic merit, or found a claim to respect and influence among its neighbours,—this notion it has undoubtedly suited the views of France to propagate; but I do not think that it is becoming or safe for the government of this country to adopt it. If this notion be true, and is received by us as true, the contest is at an end:—France is universally predominant, and we must bound our wishes to humble safety. But if, as I contend, (and as I hope I should do the right honourable gentleman injustice if I did not believe him to be ready to contend with me), the power of this country is not the less firm, nor its means of exertion the less effectual, nor its claim to the high rank which it has hitherto held the less legitimate, because they are founded on other bases than the mere extent of its soil, and the number of its inhabitants; if its naval pre-eminence, if its commercial enterprize, if its industry and wealth are allowed to weigh any thing in the scale, I must protest against the doctrine, which goes to invalidate all these titles, and to place the question of its greatness upon the single point of the recruitment of its regular army.

But even if we could admit the argument to be true, with what fairness is it applied to the discussions upon the bill now before us? We, who disagree with the right honourable gentleman in considering the regular army as the single vital principle of our existence as a nation, do yet agree with

with him as to the importance, the expediency, and the necessity of augmenting the regular army as much as possible: and if we oppose this measure, which the right honourable gentleman thinks not only the best, but the only one that can be resorted to for that purpose, it is not because we undervalue his object, but because we doubt of the efficacy of his means.

It remains only to consider the nature of those supposed advantages belonging to this measure, upon which its advocates so confidently rely for the improvement and increase of the army. The noble lord (Lord H. Petty) says that desertions will be altogether done away by the limitation of the term of service. I answer from the fact, that by far the greater part of the desertions now are from new levies, and from limited service.

The right honourable gentleman has argued (and many gentlemen, both on this and on a former night, have dwelt upon that argument with great fondness), that there is something in this measure calculated to change greatly for the better the character of the British army. I had never heard before that the character of the British army required to be changed. I had thought that in every quality that constitutes a soldier,—in bravery, in discipline, in enterprize, and in patience under privations,—the British army had already acquired a character such as no service in Europe could surpass. It is admitted on all hands that such is the character of the present army: but it is imagined, I know not on what ground, either that in all those particulars there is a necessity for improvement, or that those who are henceforth to be enlisted would degenerate from the example of their fellows, unless some additional stimulus were applied to them.

A learned lord, whom we have heard this night for the second time in this House, (the Lord Advocate of Scotland), and whom I am sure we shall always hear with pleasure, has endeavoured to illustrate this point by a transaction in his own country, respecting the colliers and miners, whose condition was changed some years ago from that of servitude for life to voluntary labour. Many persons, he says, were alarmed at the trial of this experiment; and thought that if the chains of these poor people were broken, and they were suffered to emerge from the bowels of the earth, with liberty to return there or not as they pleased, none of them would in fact return, and that the coal-pits and the mines would remain unwrought for the future. This gloomy

expectation, however, was disappointed: the emancipated colliers and miners returned, not only by free choice to the labour from which they had been set free, but with added industry and encreased good-will to their employers. Does not the learned lord perceive, that this fact, however interesting as a history (which I willingly admit it to be), yet halts a little as a comparison? The boon bestowed upon the colliers and miners was, if I mistake him not, for their own immediate use and enjoyment; but if it been resolved only that all future colliers and miners should enjoy these immunities and privileges, but that the existing generation should go on upon the old system of indefinite servitude, does he think there would have been any thing in that arrangement to awaken the gratitude, to stimulate the industry, and to improve the character of the present collier and miner?

The learned lord, however, vouches for his countrymen in general, that this alteration in the term of service will operate upon their feelings to such a degree, that bounty will no longer be necessary to induce enlistment. I receive with all possible readiness, and give implicit credit to whatever the learned lord affirms in favour of a country to which I bear so high a respect, and of which he himself is so bright an ornament. But will the learned lord allow me to remind him that this, though admirable in itself, appears to clash a little with another character which he gave of his countrymen upon a recent ocasion? In the debate upon the repeal of the defence bill, the learned lord told us that nothing could be more absurd than to expect to get men in Scotland for a less bounty than had hitherto been given. My countrymen, said he, are a sagacious people, and it was presently seen, that for the reduced bounty of twelve guineas not a man could be obtained. Now he tells us that his countrymen are a patriotic people; and that for a limited service they will engage without any bounty at all. But the other was limited service too: and therefore, though I do not question either the sagacity or the patriotism of the learned lord's countrymen—yet, while I cannot help regretting that their patriotism was not called in to correct their sagacity in the former instance: I cannot help apprehending that their sagacity may possibly interfere with the exercise of their patriotism in the present instance.

My honourable friend below me (Mr. Wilberforce) has taken this matter upon a yet higher tone; and

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has poured forth abundant eloquence upon the topic of the union of character between the soldiers and citizens; of the incompatibility of indefinite military service with a free civil constitution; and of the necessity of making the soldiers partakers as far as possible, and at all events reversionary heirs of that liberty which they are employed to defend. My honourable friend has told us, that all history exhibits the important truth, that the armies of free countries have uniformly been victorious; that they have been so, because the armies themselves have been free. The theory is so beautiful, that we cannot but lament that it should want the recommendation of truth. I forget who it is that says, that men read history with such different eyes, and retain such different impressions of it, that you would hardly think it possible that they could have been reading the same thing. For my part, when I endeavour to recollect the most splendid and striking examples of conquest and military glory of the ancient or the modern world, I find it difficult to prevent the names of Philip of Macedon, and of his son; the name of Julius Cesar; the name of the King of Prussia, and still more that of Bonaparte, from occurring to me: and I find myself at a loss to attribute any part of their successes to the enthusiasm of liberty or to the energy of a constitutional spirit. I am far from wishing to disparage the suggestions of my honourable friend, but I am anxious that a serious and most important question should be placed in its true light, and stripped of the glare of popular fallacy.

But if I am able to hear this argument with complacency, at the same time that I deny its force, I cannot suppress my astonishment and admiration at the patient silence of the right honourable secretary (Mr. Windham). The right honourable gentleman has heard, not to-night only, but on former nights, such doctrines respecting the mixture of the military and civil character, as I should have thought would have made him start from his seat to vindicate the very first principles of his system. If there were one thing which he laboured more than another in that memorable speech, in which he poured forth his whole soul, the accumulation of many years meditation, upon these subjects; it was the distinctness and inviolable separation of the soldier from the citizen. The soldier he described as utterly segregated and set apart from the population in which he lived; as belonging to a world of his own, and not looking beyond the limits of it; exempt from toiling

for his own subsistence; but devoting himself to habits of life, to discipline, and laws, and institutions of peculiar strictness and severity, neither partaking in the solicitudes nor enjoying the immunities of civil life. So far from proposing to approximate the soldier to the citizen, he thought (as the House well remembers) that the occasional assumption of the military title, and the military garb, by the volunteers, who were still irretrievably citizens, had affected the soldiers' character with a contamination which it would be difficult to remove. And yet the right hon. gentleman has now, for two nights, sat by and heard his measure supported, on the ground that it tends distinctly and directly to produce the very effect which he has so strenuously disclaimed and deprecated. He heard on a former night an honourable and distinguished member from Ireland (Mr. Grattan) descant in a strain of learned and splendid declamation on the necessary union of the two characters, which he wishes to keep asunder. He heard the same night, the honourable and learned gentleman near him (the solicitor-general) deduce from the works of Mr. Justic Blackstone, an argument, that the separation of the soldiery from the mass of his Majesty's subjects was wholly incompatible with our free constitution. He has heard the same argument to-night from the noble lord near him (Lord H. Petty) from the learned lord (the Lord Advocate) and from my hon. friend (Mr. Wilberforce.) He has heard it asserted as the main principle and chief praise of his measure, that it promotes and secures this contaminating union; and, to my astonishment, he has accepted in silence the panegyrics which his feelings must have disavowed. I can excuse him for having disdained to answer the attacks of his opponents; but I am surprised that he should not have vindicated himself from the support of his friends.

Upon the whole, Sir, nothing has been urged in the debate of this night to change the opinion which I had formed upon this measure. The advantages held out from it still appear to me to be visionary and theoretical; the practical inconveniences and dangers manifest and undenied; the remedies of those dangers uncertain and precarious, and, by the avowal of the very author of the measure, rather to be hoped for than confidently expected. The stake put to hazard is nothing less than the whole regular army; that army upon which, (exclusively, as the right honourable gentlemen

gentlemen contend), the security of the empire is to rest. And all this at a moment like the present!

The bill I am afraid is gone too far to admit of opposition in the whole, or amendment in many parts. One part only of one danger it is yet in our power to guard against. The amendment proposed by my honourable friend affords us this opportunity. It is the last twig at which we can catch before we are precipitated into all the danger which awaits us. It is too late for the House to decide against measures which hazard the army altogether; but it is yet in their power to take a security for its being kept together, at least in time of war.

Mr. Fox replied to the objections which had been urged against the measure by the right honourable gentleman; though the arguments so ably advanced early in the debate by his right honourable friend (Mr. Wilberforce) still remained wholly unanswered. With respect to the army which it was necessary for this country to keep up, it surely would not be sufficient to have merely the same numerical force as in the time of King William and Queen Anne; we must have a force adequate to the new situation of affairs; and if we wished to have influence on the continent, we must have an army capable of acting there with effect, should circumstances present the opportunity. The right hon. gentleman had spoken as if there were some who talked contemptuously of wealth. Who they were he could not tell—at least he never knew that ridicule of that sort had much success. But this at least was true, that wealth alone would not secure greatness, and that if a nation wished to preserve its eminence it must depend on the number and valour of its own soldiers, not on its money to pay mercenaries. To suppose that national greatness could be maintained without this, was to assert what was contrary to all principle—to all common sense—to all experience. He then proceeded to consider the instances of the adoption of limited service in foreign armies, and contended, that not only the practice, but the successful practice, was justified by the example of foreign nations, particularly the French and Swiss. He then shewed that the spirit of liberty, in all times, had improved the soldier. Nor was this disproved by the cases of Alexander and Cæsar. The former triumphed over the Greeks divided, and over Asiatics, it was the triumph of Europeans comparatively free.

In the case of Cæsar, many of his troops might believe the pretences he held out, that they fought for liberty against tyranny and aristocracy. As to what was said of the danger of adopting this measure in time of war, if it was good to be adopted, it ought to be begun in time of war as well as in time of peace, and to do so was what his noble friend (Lord H. Petty) had wisely and truly said, to shew real courage and magnanimity. As to trenching on the prerogative, all he had to say was, that it was undoubtedly competent to the House to regulate any power it conferred; and to talk of the prerogative of the crown to levy men on any conditions, was very idle, since the concurrence of Parliament was necessary to pay and regulate the army raised by prerogative. And would it be contended that the impression made by the measure, in this shape, would not be much greater than if it had sprung solely from official regulation; and, therefore, was not its success on that account likely to be the greater? As to the effect of the offer of a seven years' service instead of for life, he conceived it self-evident that it would procure more men. As to the discontent of those now enlisted, he saw no danger of the kind. No ill effects of that sort had sprung from enlistment for a period during the American war, or in the instances in which it was adopted since. In a word, he conceived the present measure better calculated to give us a large army than any other; and such an army all men must agree was necessary, if we were determined to preserve our greatness and pre-eminence as a nation.

General Norton was adverse to the measure, and in favour of the amendment.

Mr. Rose jun. said, that the experiment of limited service had not succeeded in France formerly. In the seven years war, when France, with a population of twenty-four millions, had only 140,000 French troops on foot, it was found impracticable to recruit them. And in the beginning of the American war the system was abandoned, and the republic had been too wise to adopt it. Besides, desertion had been very great in the French armies.

Mr. Perceval spoke strongly in favour of the amendment.

The House then divided.

For the amendment	-	103
Against it	-	195
	Majority -	92

On

On returning to the gallery we found that the bill passed without a division.

Adjourned at four o'clock in the morning.

HOUSE OF LORDS.

SATURDAY, JUNE 7.

Mr. Alexander and several other members of the House of Commons brought up the mutiny bill, which was read a first time, and ordered to be printed, on the motion of Earl Spencer, who gave notice, that if the prints were on the table on Monday, he should move the second reading on Tuesday.

The property tax bill, the Irish sugar bill, and the Irish additional force repeal bill were read a third time and passed, and a message ordered to be sent to the House of Commons to acquaint them therewith. Adjourned till Monday.

HOUSE OF LORDS.

MONDAY, JUNE 9.

The royal assent was given by commission to the Irish debenture bill, the Irish revenue collection bill, the Irish malt bill, the Irish spirits bill, the Irish butter bill, the franking bill, the Irish first fruits bill, and several private bills.

The commissioners were the Lord Chancellor, Earl Spencer, and Lord Walsingham.

The Irish stamp duties bill passed through a committee and was reported.

Earl Spencer adverted to the notice he had given on Saturday of his intention to move for the second reading of the mutiny bill the next day; but understanding, he said, that business of importance already stood for that day, he should move that the bill be read a second time on Wednesday.

Lord Hawkesbury did not rise to object to the motion, but merely to give notice, that previous to the second reading of the bill on Wednesday, he should move that there be laid before the House the opinion given by certain military officers, relative to enlistment for a term of years.

The bill was ordered to be read a second time on Wednesday,

nesday, for which day the Lords were ordered to be summoned.

Strangers were excluded; and the consideration of the evidence adduced on the trial of Lord Viscount Melville was resumed.

The discussion continued till half past eleven o'clock, when the further consideration of the subject was postponed till the next day. The judges attended. Adjourned.

HOUSE OF COMMONS.

MONDAY, JUNE 9.

As soon as the House met, it was summoned by the deputy usher of the black rod to attend in the House of Peers. The right honourable the Speaker, and several members accordingly proceeded to the Upper House of Parliament; and on his return, the Speaker, in the usual form, acquainted the House that they had been in the House of Peers, where they had heard the royal assent given by commission to the Irish debentures bill, the Irish customs and excise duties bill, the Irish butter packing bill, the franking regulation bill, the London docks bill, and the Irish first fruits bill.

Mr. Meheux, from the India board, presented several papers pursuant to orders of this House, which were ordered to be printed, and to be laid on the table.

The Dunbar harbour bill was read a second time, and referred to a committee, consisting of the Lord Advocate, Lord Archibald Hamilton, and several other members for North Britain.

A message from the Upper House of Parliament, announced their lordships' assent to the property duty bill, the Irish import and export regulation bill, the Irish additional force act repeal bill, and two private bills.

On the motion of Sir John Newport the Irish and English corn interchange bill was read a first time, and, after a few words from Mr. Foster, it was ordered to be read a second time the next day.

Ordered that an account of the amount of assessments made under the assessed tax act for a certain time therein specified be laid before the House.

Sir Arthur Wellesley gave notice that he would move the next day for additional papers relative to the Oude charge.

Mr. Paull presented his third article of the charge of impeachment

peachment against the most noble the Marquis Wellesley. It was read at the table by the clerk, and was relative to the transactions which had taken place in Furruckabad, which it stated to contain 100,000 inhabitants, and to produce a proportionate degree of revenue. At the conclusion, the noble lord who is the object of the charge was alledged to have been guilty of a breach of faith, and of tyranny and oppression towards the prince of that division of oriental territory. Ordered to be printed.

The charge was ordered to be taken into consideration on Thursday, the 19th instant, in a committee of the whole House.

It was then ordered that John Lord Teignmouth do attend on Wednesday the 18th, to give evidence on the Oude charge; Gore Ouseley, aid-de-camp to his Highness the Nabob Vizier of Oude, was also ordered to attend; and it was ordered that George Johnstone, Esq. a member of this House, do attend in his place, on Thursday, the 19th, at the consideration of the article relative to Furruckabad; the two former witnesses were also ordered to attend on the same day.

An account of the net assessments under the 43d of the King, up to the 5th April, 1806, was presented, and ordered to be laid on the table.

A statement of the amount of the duty on foreign linen for a limited period was presented and ordered to be laid on the table.

Mr. Wilberforce gave notice that after the motion of Mr. Fox should be disposed of, the next day he would move that an humble address be presented to his Majesty on the same subject.

Sir John Newport moved, that the report of the Irish militia volunteering bill be taken into consideration on Thursday next. In answer to a question from Mr. Foster, he stated that his reason for the delay of a few days was, that he might, in the interval, have an opportunity of consulting with some of the Irish militia colonels who were now in town.

ASSESSED TAXES AND EXEMPTIONS.

On the motion of Lord Henry Petty, the House resolved itself into a committee of ways and means. The Speaker having left the chair,

Lord Henry Petty observed, that after what had been already said on the subject to which he was now to call the attention of the House, it would be unnecessary for him to trouble the committee at any length. He need do nothing more than state, that, according to the intimation which he had given on a former occasion, it was proposed to raise 10 per cent. on the amount of the assessed taxes He would accordingly now move a resolution to that effect. With regard to the other motions which he had to submit to the House, it related to the exemptions which it was in contemplation to allow to persons having small incomes and large families. The object of it was to allow a deduction of four per cent. for every child, in cases of assessment under the amount of 40*l.* As far as the ratio extended, this would apply to incomes up to the amount of one thousand, or between one and two thousand pounds. This would embrace the whole of the exemptions that could have been claimed on this account, under the property-tax, and besides, it possessed the advantage of being more full, general, and permanent, the exemptions under the property-tax being necessarily temporary. By this means he avoided all the inconveniences which would attend the granting of such exemptions under the property-tax; and when he resisted the exemptions in that form, he had something like the present plan in contemplation. He concluded by moving, That towards raising the supplies granted to his Majesty, there be an allowance on every assessment made or to be made, by virtue of an act of the 43d of the King, after the 5th of April 1806, of an additional rate of ten per cent. on the amount of such assessment.

Mr. Huskisson expressed some doubts as to the produce of the tax. He rather apprehended that it would not turn out so productive as might be at first expected. There was a difference between the sum that might be calculated on the assessment and the sum that might be received in the exchequer. It ought to be recollected that the property-tax had been raised from 6¼ to 10 per cent. and the effect of this certainly would be to induce people to reduce their establishments, so as to be liable to a smaller portion of the assessed taxes.

Mr. Francis having before expressed his opinion that no new taxes were necessary for the service of the present year, and having pointed out a mode (taxing foreign property in the funds), by which a large sum might be procured, it could

could not be supposed that he could be very well disposed to any tax whatever. However he had no particular objection to this mode beyond what he would have to any other.

Mr. Dent observed, that the principle of exemption of foreign property in the funds from the property-tax, applied to the parish taxes. He was proceeding to complain of the hardships under which small annuities laboured, when he was stopped by the chairman (Mr. Hobhouse), who stated, that the only question at present was with regard to the assessed taxes.

Mr. Baker contended that the honourable gentleman over the way (Mr. Huskisson) was incorrect in his statement as to the effects which the raising of the property-tax would have on the produce of the tax now proposed. The fact was that every one must give an account of his establishment as it was the preceding year, and therefore could not avoid this tax for the present.

Mr. Bastard suggested that the grounds and waste lands which were called public property might furnish a resource for the public expenditure.

Mr. Huskisson observed that it would be proper to consider whether, as the balances in the hands of the collectors would be increased by the addition to the tax, they ought not to have less poundage than before, or whether they should have any.

Lord Henry Petty replied that the balances had been very much diminished.

After some further observations from Mr. Rose, Lord Henry Petty, Mr. Bastard, Mr. Dent, and Mr. Huskisson, the resolution was agreed to, and the House resumed. Report the next day.

Lord Henry Petty then moved that the House should, the next day, resolve itself into a committee on the act of 43d of the King relative to the taxes, with a view to refer to that committee his plan of exemptions for persons having small incomes and large families. Ordered.

ELECTION TREATING ACT.

Mr. Tierney moved the third reading of the election treating bill.

Mr. Blackburne observed, that this bill was more than a declaratory bill, for it allowed carriages to be provided for conveying the voters to the hustings, which was more than

was warranted by the act of King William. He concurred with the honourable gentleman in his view of this subject, as it was found in the bill in its original state. But the honourable gentleman had agreed to an amendment which altered the nature of his bill, and which would leave him without support from either side of the House. He concluded by moving that the bill be read a third time that day three months.

Lord Archibald Hamilton differed entirely from the honourable gentleman who spoke last. He had the strongest objections to the bill as it originally stood. Now he thought it was perfectly nugatory; and on that ground he would vote against it.

Mr. Morris contended that this was barely a declaratory bill, and that there ought to be no declaratory bill, except in cases of serious doubt. Now here, he contended, there was no good ground for doubt, for the spirit and letter of the act of King William was against giving money on any pretence. It was true committees had decided that giving compensation for loss of time, and so forth, was not bribery; but no committee had decided that the giving of money was legal. He opposed the bill, therefore, as nugatory.

Sir William Dolben thought that if money was to be given, it ought to be lodged by both candidates with the returning officer, so that there could be no bribery on either side.

Sir Robert Euxton expressed his surprise at what had fallen from the respectable baronet, and contended that no money ought to be given by the candidate on any pretence whatever. Whoever gave money was not a constitutional representative of the people.

Sir W. Dolben explained.

Mr. Baker dwelt upon the inconsistency of providing carriages for the voters, and not supplying them with meat and drink on the road, and contended that those who did not reside in the places where their franchises lay, would suffer no hardships though allowed no conveyance whatever. He opposed the bill.

Mr. Tierney, though not in an unpleasant situation, because he was doing his duty, yet felt himself in an extraordinary one, for having brought in a bill to which there were some objections, by agreeing to remove those objections he lost the support he had before, without gaining any thing to counterbalance the loss. He entered at some

length into the decisions of the committees, and drew the conclusion from the whole, that the principles on which they decided were very unsettled. He contended, therefore, that there was a strong necessity for a bill of this nature to set the point at rest. This was his object. He himself had as little interest in the question as any body. He had often received letters on many subjects which he brought before the House, abusing him in severe terms, but all the letters he received on this subject were filled with thanks. If the House did not pass this bill, great mischief would be done, for it would be understood that henceforth money might be freely given.

Mr. Fox scarcely thought it necessary to say any thing, as this bill did not appear to be very favourably received. He opposed it, however, on the general principle, that it went to diminish the number of electors, a thing which he thought ought particularly to be guarded against. The letters which the honourable gentleman had received on this subject were probably from persons who intended to be candidates. The clause he did not conceive to be so uncertain as it had been represented, and at any rate he thought it no great evil that some latitude was allowed, as the committees acting as juries would examine every case on its own merits. If, however, any thing was to be done in this case, something more would be necessary than mere explanation.

The House then divided.

For the third reading - - -	17
Against it - - - -	42
Majority -	25

The bill was accordingly thrown out.

CHELSEA HOSPITAL BILL.

When strangers were admitted into the gallery, it appeared that Mr. Windham had moved the recommitment of the Chelsea hospital bill.

Mr. Bastard mentioned that orders had been sent to the Secretary at War for the issue of the June allowances to some of the volunteer corps, and that the issues had actually been made. He wished to know whether it was intended to extend this to other corps?

Mr. Windham replied, that nothing had been done but what was intended to be done according to the plan which he

he had stated to the House, which had not been altered in this respect.

The bill was then recommitted.

In the committee a conversation of some length took place relative to the propriety of Parliament being called upon to engage to make good the expences arising from certain regulations before they knew what these regulations were. Mr. Huskisson, on the one hand, contended that this was not proper. While Mr. Windham, Mr Fox, and Dr. Laurence, on the other side, argued that it was a reasonable degree of discretion to be allowed to the crown, and a thing that had often been done before.

Sir James Pulteney expressed his hope that soldiers who misbehaved should not have the pensions.

Mr. Windham said that, according to his present idea, this would be decided by a court martial. At all events, this point might be discussed when the regulations came before the House.

After some observations from Mr. Huskisson, General Tarleton, the Attorney General, and Mr. Bastard, one clause was left out, and the others agreed to. Report the next day.

The thread-lace bill was read a second time, and ordered to be committed the next day.

Mr. Foster moved the second reading of the linen drawback bill. But, as the House was so thin, he proposed to those who were against it to postpone it till Wednesday.

Lord Archibald Hamilton saw no reason to expect a fuller attendance then, and would move the second reading this day three months, with a view to put the matter off till next session.

After a few words from Mr. Magens,

Lord Temple agreed that the bill was proper at some future period; but at present that he must support the amendment. The resolution of the last board of trade was, that the drawback should be extended only to coloured and checked linens, and not to plain; but, by a mistake in carrying the measure through the House, it had been extended to plain also. Therefore, however just the restriction might be, as it was only to the authority of the legislature that the merchants could look, it was but fair that they should have time to have the orders executed which they had given on the faith of Parliament.

Mr. Foster agreed in the propriety of the noble lord's observation;

observation; and said, that he himself had proposed the 1st of November, as the period of commencement of the bill.

After some farther observations from Lord Henry Petty, who wished the bill to go into a committee, where, as it was merely a question of time, the period of the commencement of the act might be fixed at the 1st of March, or any other day; and from Mr. Rose and Sir J. Newport, who begged of Lord A. Hamilton to withdraw his amendment for reading the bill a second time this day three months.

The amendment and the original motion were both allowed to be withdrawn; the bill was read a second time, and ordered to be committed on Thursday; and counsel was ordered to be heard on the report of the bill.

The order of the day for the House going into a committee on the excise-office regulation bill, and the other orders of the day, were then postponed, and the House adjourned.

HOUSE OF LORDS.

TUESDAY, JUNE 10.

The House proceeded in the appeal from the court of chancery, "Mary Georgiana Seymour, an infant, by her next friend, against the Earl of Euston and Lord Henry Seymour." The solicitor-general, at considerable length, went over most of the arguments urged in this cause in the court of chancery, and was followed on the same side by Mr. Agar. The further consideration of the appeal was then postponed till the next day.

During the hearing of the appeal, the Bishop of Winchester addressed the House in further confirmation of an affidavit made by his lordship, which had been referred to by the solicitor-general relative to the education of Miss Seymour in the faith of the church of England.

The Lord Chancellor observed, that whatever degree of respect they might entertain for the opinions of the right reverend prelate, their lordships could only look to what was in evidence before them.

The Irish stamp duties bill was read a third time and passed, and a message sent to the House of Commons to acquaint them therewith.

Strangers were excluded, whilst their lordships discussed some

some matter of privilege brought forward by the Earl of Limeric.

The discussion continued some time. Strangers were re-admitted; but no public business was done, and very soon afterwards they were again excluded; when the consideration of the evidence adduced on the trial of Lord Viscount Melville was resumed.

The House continued in discussion till eleven o'clock, when an order was made to proceed further on the trial of Lord Viscount Melville on Thursday, and a message ordered to be sent to the House of Commons to acquaint them therewith. Adjourned.

HOUSE OF COMMONS.

TUESDAY, JUNE 10.

Sir John Anderson brought up a petition from the parish of St. Leonard Shoreditch, in favour of the East-London water works bill. Ordered to lie on the table.

On the motion of Sir John Sinclair, it was ordered to be an instruction to the committee appointed to consider of the laws relative to waggons, &c. on the highways throughout the united kingdom, to take into their consideration the act of the 28th of the King, chap. 27, relative to outside passengers on stage coaches.

Mr. Hobhouse brought up the report of the committee of ways and means of the preceding day, which was agreed to, and a bill ordered to be brought in accordingly.

Mr. Vansittart brought up the Scotch distillery bill, which was read a first time, and ordered to be read a second time on Thursday next, and to be printed.

The Irish malt duty bill was read a third time and passed.

Sir John Newport gave notice of a motion he intended to make, for leave to bring in a bill to regulate the elections in Ireland. The first object of the bill he should propose was, to disqualify revenue officers from being returning officers, as they were now disqualified from being voters. In the second place, he wished that it should be imperative upon corporations, to examine speedily the claims of persons claiming the right of freedom; and thirdly, he wished that in

in cities and towns, the freeholders should be put on an equality with those who had obtained their freedom by trade, who at present can act six months after obtaining their freedom, whereas the freeholder must be registered at least twelve months prior to the election.

Sir Arthur Wellesley moved for papers respecting the charge against Marquis Wellesley. The first paper for which he moved was "the copy of a letter from Mr. Paull to Marquis Wellesley, dated Lucknow, March 10, 1803, with the answer."

Mr. Paull seconded the motion. He however begged leave to state, that at the time of his writing that letter, he had been only six weeks in India, after his return from England, where he had staid above two years. It would be seen, however, that that letter complained of the oppression and extortion committed under the system of the British government in the province of Oude.

The paper was then ordered, as was also an immediate return of papers formerly moved for and ordered.

The foreign thread lace bill went through a committee, and the report was ordered to be received the next day.

ASSESSED TAXES.

On the motion of Lord Henry Petty, the House went into a committee on the general assessed tax act, when his lordship moved that a sum not exceeding 4l. per centum per annum, on the assessed taxes, be allowed to every person having more than two children born in lawful wedlock assessed under that act in a sum under 40l. per annum, and who were *bona fide* burthened with the maintenance of such children.

Mr. Huskisson wished to know if the allowance was meant to be permanent, or temporary, that is to say, only to be a mitigation of the severities of the property tax. If the former, he did not think it went far enough, but must extend an immense deal beyond what the noble lord had proposed. For instance, to the stamp duties, which were also admitted to be severely felt. If we once admitted such a principle, there was no stopping, and it would lead to a latitude which the country could not admit of, and the very circumstance, too, which entitled a person to the exemption would operate as a bar to his participating of its benefits. The largeness of a man's family might, in

many instances, particularly if, from his situation in the world, he was obliged to keep a male servant, compel him to occupy a house, the taxes on which in window and house duty, &c. would amount to more than 40*l.* per annum. It would be absurd to think, that a person in this situation should be deprived of the benefit of the exemption proposed by the noble lord, while, to make it more effectual and equally available to all, it would be necessary that a particular law should be enacted for every family in the kingdom.

Lord Henry Petty stated, that the exemption had been proposed as a relief from the general burden of taxation to which it had been found necessary to resort. Whether that relief should be permanent, or only temporary, it was not for him to say, that must depend on the opinion of the House at a future period. As to the last objection of the honourable gentleman, he had only to observe, that the case to which he had alluded was that principally in view when the exemption in question was proposed.

Mr. Huskisson and Lord Henry Petty again exchanged a few words.

Mr. Wilberforce expressed his preference to the exemption now proposed to any which could have been given under the property tax, in so far as a man having a large family was by that very circumstance obliged to contribute in a greater degree to the assessed taxes.

In answer to a quesion from Mr. Huskisson, Lord Henry Petty estimated this allowance at 200,000*l.*

SLAVE TRADE.

Mr. Secretary Fox rose, agreeably to notice, to submit to the House a resolution declaratory of their sense of the injustice, inhumanity, and impolicy of the slave trade. Before, however, he went into any statement of the grounds on which he with confidence looked for the almost unanimous countenance of the House in this measure, he felt himself called on to state in a few words his own apology for being the person by whom such a motion should be made. This subject had been repeatedly brought forward, year after year, for the last sixteen or seventeen years, by a respectable member of that House, than whom no man, either from his talents, eloquence, zeal in the cause, or, from the estimation in which he was held in that House, or in the country, could be better qualified for the task. In such

such hands he had found the business, and there he would willingly have left it. His own opinion was, that it would have been better that that honourable friend of his had made the present motion, or such other motion as he would have wished on the subject, as to which he could not have doubted that he should have had the support of him (Mr. Fox) and his friends. A strong opinion, however, had prevailed with his honourable friend, and with those with whom he was connected, that all circumstances considered, it would be better that the business should originate with him (Mr. Fox). He had yielded his own opinion on this subject to that of his honourable friend, and those who acted with him; and, however certain persons might be inclined to consider and to represent it as a fanciful theory, he had no hesitation in declaring, that he should esteem his political life of thirty or forty years well spent, if he should be so fortunate as to compass the end to which his present motion was directed. Having explained so far, he should go on to state those circumstances which seemed to him to warrant the motion which he had to make, so far as he should feel it necessary. He could not, in doing so, commence without observing, that he was happy to say, that whatever difficulties had occurred in that House, with respect to the abolition of the slave trade, the opinion of the House, he should not say unanimous, but as nearly so as well could be recorded by resolutions of the House itself, was, that the slave trade was contrary to justice, humanity, and sound policy. As had been well remarked by a great man, now no more, but whose opinions, wherever justice or any moral feeling was interested, would long be remembered with pride and veneration (Mr. Burke), it was not a traffic in the labour of man, but in man himself, and was calculated to keep down and debase humanity. He should not enter into the arguments adduced by some gentlemen who had supported the trade, who alledged that the crime (if crime it was) was not imputable to those who embarked in the trade from this country; that the persons whom they carried off were slaves before, condemned as such on account of offences committed by them. Such arguments, he said, was only adding hypocrisy to the lust of gain, and attempting to vindicate what was contrary to nature. Supposing the persons alluded to have been legally rendered slaves, was the British government to sanction, and British ships and seamen to conduct the police of African monarchs!

Such an idea, he submitted, was only one of the many instances, how far the lust of gain could pervert human reason. Except the opinion of the honourable general opposite (though he rather believed he was not so loud in his defence of the trade on the broad principles of humanity), and an illustrious friend of his in the other House, who thought the trade so proper, that if it should be discontinued, a bounty ought to be given to encourage its revival, he was inclined to think that he had no very determined opposition to the principle of his motion to encounter. He should not quote the authority of that great man, lately deceased (Mr. Pittt), whose name and opinion were so frequently referred to, though he thought, if good, and to be held out for example by his friends in a political question, it must be no less worthy of their imitation, in a moral point of view, as then their approbation would wear a less suspicious appearance. He should, however, quote the authority of a noble viscount (Sidmouth), the Speaker's predecessor, though not immediate, in that chair, who, while he opposed the abolition at the time it was originally moved, agreed in the propriety of adopting it at a future period. He should also quote the authority of another noble viscount (Melville), who, while he did at the moment all in his power to support the trade, proposed, as a substitute for the immediate abolition, resolutions similar in their terms to those which he took as the basis of his present motion: that the trade was contrary to "humanity, justice, and sound policy," and therefore should be abolished at some future period. He took those words rather than any other, as the basis of his motion, hoping that he should thereby secure the concurrence of those who formerly themselves proposed them, and wishing as little as possible to provoke contrariety of opinion. The House having been uniformly of opinion, and having so often declared that opinion, that the trade should be abolished, and yet having taken no step to that effect for the last fifteen years, he presumed, would think itself called on, if from no other motive, from respect to its own character and reputation, now to do something to effect what had so often been declared to be its opinion. If he recollected well, the period when the question of the abolition was first agitated, was the year 1791. In the commencement of the year 1792, it was much considered through the country, where it excited warm feelings among the great bulk

bulk of the people. It was tried in that House, and the question for the gradual abolition was carried. The question as to the period was then put, that it be abolished in one year—then in two years, both of which were rejected, but the proposition for abolishing it in the third year was adopted. At that time the greatest enemy to the abolition did not wish to postpone the measure beyond the year 1800. Yet now we were in the year 1806, and no step towards this just, humane, and politic measure, as the House declared it, had been adopted. In this situation, had not the country and the civilized world to reproach them with their conduct, in allowing matters to come to a situation much more remote than even the enemies of the abolition had calculated on? Denmark had fixed on that year as the period when they should abolish the trade, and they had been made the subject of ridicule among us for the great distance to which they had postponed it. How far they had given cause for such ridicule on our part, he should not say. They had already abolished the trade, at least among their own subjects; and they had shewn, if they could not among others, they could at least prevent the commission of crimes and infamy among themselves. He had at one time hoped that a bill for the total abolition of the slave trade might have passed through both Houses of Parliament, and have received the royal assent this session. A number of circumstances, however, and particularly the bill for abolishing the trade as to foreign islands, during the discussions on which it was deemed improper to introduce any measure of the kind, had, to the entire conviction of his honourable friend (Mr. Wilberforce), rendered any such expectation highly improbable. It might, indeed, pass this House, but if introduced into the House of Lords at such a period of the session, they would have, not a pretence, but a fair reason for saying that they could not carry it through. What alternative then remained, but either to pass by in total silence a measure which for the last seventeen or eighteen years had every year occupied the attention of the House, or to adopt the plan he now proposed—to pledge the House to the abolition of the trade, not at a given period, but at an early period? For this purpose, his proposition should be to leave two things open—the mode and the time. He should, however, state, that for his own part, after having considered the subject, for the last eighteen years, with every possible at-

tention, he could conceive no practical mode of effecting the abolition but by a direct law. As to the time, in the same way as happened in the year 1792, there might be many opinions on this subject. Some might think the 1st of January next the proper period; others one more remote. To all persons of this description, he left the period of time at which the abolition should take place, open; but declaring, at the same time, that it was impossible that any thing could shake him in the opinion of the necessity of an immediate abolition. He had heard a great deal of noise made, as if the trade had been already knocked up by bills formerly passed in that House; yet these very measures were afterwards applauded as being the greatest benefits to the trade, by the persons who had formerly so loudly declaimed against them. He had also lately been given to understand, that the trade was now completely annihilated by the passing of the act for preventing the foreign trade. All he asked was, that the dealers would set their names to this fact, and decline the trade. He was afraid, though the act last passed had done a great deal, it had only effected the one half of the object, and had left a germ from which the whole might again spring up. The ruin of the West Indies, too, was alledged by some as the necessary consequence of the abolition. On this point he begged to refer them to the speech of the same right hon. gentleman to whom he had already alluded (Mr. Burke), at least to something in print which gave an idea, though a very faint one, of his most eloquent speech on this subject; but which to have heard, eloquent, argumentative and convincing as it was;—unanswered and unanswerable, must have carried conviction to every breast; that it was impossible to say that the interests of the West Indies could be in any degree affected. If the slave trade were abolished, experience shewed that the contrary would be the fact. In America the increase of the Blacks fully equalled that of the Whites, and had doubled within the last nineteen or twenty years. This he should not say was a damning, but a blessed proof of the fallacy of such assertions. There was every ground to hope that the increase would equal every thing which could be desired, and would lead to such a gradual and prudent emancipation as would ultimately place the West Indies on the very surest and best foundation. He hoped that in such a case as this the memory of the right honourable gentleman lately deceased (Mr. Pitt), so often quoted, would

would not be forgotten by his friends, who would shew an equal regard to his opinions on this subject as on others, and would therefore evince that it was not merely in opposition to those who now filled his situation that his sentiments were so often referred to. The different proceedings held in the course of the motions for abolition of the slave trade were then read, and Mr. Fox concluded by moving a resolution, that the House, conceiving the African slave trade to be contrary to justice, humanity and sound policy, will, as early as possible, take such effectual measures for its abolition as may seem to them to be the most proper.

Sir Ralph Milbank had been uniformly of opinion that the slave trade was a ruinous and destructive traffic, that it was contrary to every principle of sound policy, justice, and humanity, as had been stated by the honourable secretary in a much more able manner than he could do. He was happy to say that the majority of his constituents concurred with him in these sentiments. He was persuaded that the cultivation of the colonies could be very well carried on without any fresh importation of slaves, and concluded by seconding the motion.

General Tarleton felt some astonishment at the manner in which, and the time when, the right honourable gentleman had thought proper to bring forward this resolution. It was wholly uncalled for by any part of the country, and introduced seemingly for no other purpose, than to shew that he had the power to carry his point. The House had certainly expressed sentiments inimical to the trade, and favourable to its abolition; which, however, it had never thought proper to follow up by any efficient measure. But the former resolutions were brought forward in periods of profound peace, when they were not pregnant with any such danger as at present, when the country was involved in an arduous war, and plunged in a situation more critical than at any former period of its history. Why the right honourable gentleman should have chosen such a moment for bringing forward the motion, was to him most astonishing, nor could he account for it upon any other principle than that of gratifying, for certain political purposes, the inclinations of an honourable member below him (Mr. Wilberforce), who was so extremely zealous upon this subject, that he never could hear the slave trade mentioned without starting as if he saw *a ghost*, and exclaiming abolition! abolition! It was therefore

fore most probable, that the right honourable gentleman had a view to cultivate a new *coalition* in that House for the remainder of the session. He was aware, that in the course of the former investigations which took place upon this subject, a most voluminous body of evidence had been laid before Parliament. Much of that evidence was in favour, and much against the abolition; and whatever was the resolution at that time adopted, it did not appear that Parliament had since thought it wise to follow it up: but before the House should proceed to adopt the resolution now proposed, he felt it his duty to call their attention to the situation of Liverpool—a town which, from a miserable fishing hamlet of about 150 huts, had within a century risen to be the second town, in point of commercial wealth and consequence, in the British dominions, entirely by the African trade. He begged to impress on the recollection of the House what the situation of Liverpool was when the right honourable gentleman and his colleagues came into power. It was eminent for the prosperity of its commerce, its wealth, its loyalty—for the important aid it furnished to the British marine, by affording at all times a numerous supply of seamen, through its African and West Indian trade. It was equally distinguished for its spirit, in fitting out private ships of war, and by contributing annually three millions sterling in revenue to the public purse. But what measures of advantage had Liverpool experienced since the present ministers came into power? Why, the restriction bill upon the African trade, by which the enterprising spirit of its merchants were paralysed, their trade diminished, the value of their shipping considerably reduced, and disputes existed between them and the planters. But if the mercantile interests of the country were to be thus crushed—if that commerce, which yielded so great a portion of the public revenue, was to be impoverished—what must be the natural consequence? But one of two alternatives; either the minister must resort to the landed interest entirely for the supplies necessary to carry on the war, or he must be driven to an ignominious peace. If the right honourable gentleman seriously meant to proceed with the proposed measure, he could only say, that his constituents would feel themselves justified in coming foward in the most respectful manner, to solicit from Parliament, that to which they would conceive themselves justly entitled; namely, compensation for the losses they would sustain, in consequence of a measure

sure that would deprive them of a trade which they had followed from the time of Queen Elizabeth, under the sanction of Parliamentary protection. The necessary consequence of the measure must be bankruptcies without number; the emigration of useful artisans, with their capitals, to America, and the loss to this country, for ever, of many useful artificers.

Mr. Francis said, the honourable gentleman's constituents would certainly be at liberty to come to that House for compensation, in case the slave trade should be abolished; but he did not know that he should consent to take the money out of his own pocket, or that of the public, for compensating men for the abolition of an iniquitous traffic, so contrary to every principle of humanity. He should regard such petitions, as he did others from different parts of the country, inveighing vehemently against measures in contemplation which the petitioners conceived to be ruinous, but which they afterwards found to be the very reverse. The house already stood pledged, by a resolution of the 16th of May, 1792, to the abolition of the slave trade, at a definite time, and yet this resolution had never been acted upon; he could not therefore see the use of the House again pledging itself to a similar resolution for a distant day, which would pass for nothing with the public, unless something were done immediately. His right honourable friend had given his opinion as strongly as he could in favour of immediate abolition; why, therefore, was not his resolution as strong as his opinion? and why did he not propose to follow it up efficiently at once? His right honourable friend had said, it was too late in the season, and that there would not be time to debate the bill: but surely it was as easy to debate the bill as the resolution now proposed: in fact, there was little or no occasion to debate a subject that had been so frequently discussed.

Lord Castlereagh opposed the resolution. He observed, that if the right honourable gentleman really meant it as a serious proposition, or any thing else than one of those convenient measures of parliamentary management, which he sometimes condescended to adopt, he (Lord Castlereagh) did not see any purpose it could answer to the right honourable gentleman. It pledged the House generally to a resolution, for a purpose wholly indefinite as to time and mode. If, in point of fact, the trade could be abolished at once, why not do it immedi-

ately, instead of proposing a resolution in general terms upon the subject, which, in its present form, was wholly unintelligible? The House had formerly come to a definite resolution, which had never been followed up; and why? Obviously because it was found impracticable to realize the theories of those who led the House into that resolution. With respect to the principle of the slave trade, no man more sincerely wished than he did, that it were practicable now, or at any proximate period, to remove a grievance so calamitous from the lot of humanity. As to effecting any thing like a general abolition of this traffic, he really feared it was not to be accomplished by Parliament; for were the most peremptory bill that could be shaped, to pass that night upon the subject, to preclude all British ships and capitals from being employed in the African trade, even for the supply of our own colonies, he did not see any other purpose such a bill would answer than to involve us in disputes with those colonies, and to risk their ultimate loss, by forcing them to resort to other nations, who would certainly take up the trade as a source of wealth, the moment it was relinquished by this country. Did the right honourable gentleman imagine, that any bill passed by the British legislature for abolishing our own slave trade, would prevent France, Spain, and Portugal, from carrying it on, under all those cruelties which the regulations of the British trade were so well calculated to prevent? Did the hon. member near him (Mr. Wilberforce), who had announced his intention of moving that night an address to his Majesty upon this subject, imagine that it would be in the power of his Majesty to change the sentiments of other European governments, and more especially of the present ruler of France, whose principles and opinions were so well known upon the subject, and to whom the very circumstance of our abandoning the trade would be the strongest inducement for its adoption? In fact, until such a concert could be formed with our own West-India planters and the other powers of Europe, it would be in vain to expect any thing like an effectual measure for the abolition of this trade; and by abandoning it ourselves, we should only throw a source of wealth into the lap of our enemies, without effecting any one good purpose to the unfortunate objects of our solicitude. Any real benefit must be the work of time and gradual progression, and by a correcting system, something of

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the nature by which smuggling and other abuses were corrected at home: such, for instance, as an high and almost prohibitory duty on the importation of new slaves into our West India islands; but this duty not to operate merely as a source of revenue to the crown, but of reward to the planters, for encouraging negro population in the islands, and rewarding the kindness and encouragement shewn to slaves.

The Solicitor General rose to state shortly his sentiments. He should have much more cordially supported a motion for leave to bring in a bill for the immediate abolition of this abominable traffic: yet still, he thought the motion ought to be supported, as pledging the House to take the most speedy and practicable means to abolish it. Surely, if it were the sense of the House to adopt, in the present session, any measure more prompt and efficient for the purpose, this resolution would oppose no impediment to a purpose so desirable. The noble lord who had just sat down had said the resolution was vague and indefinite. Its object, he conceived to be unequivocally explicit, and its purpose to revive the resolution of the House in 1792, which had not been acted upon. It was not his wish, at this moment, to enter into a general discussion upon the slave trade, for what could there be offered to the House in vindication of a commerce so detestable, but arguments already refuted, and assertions long since disproved? It was hardly fair to say the House had not done any thing in pursuance of its former resolution; for in the session before last it had passed a bill for the purpose, which was rejected in the other House of Parliament, and another was brought in last session, which miscarried owing to the accident of a thin House, and a concerted plan to defeat the measure. He knew well that sometimes corrupt systems were long continued in nations that had not courage to enquire into them; but that was not the case in this country with respect to this system, because there had been no want of courage to enquire into it; and after the opinion expressed by the committee, who in 1792 had investigated the subject with the most patient deliberation —whose opinions, and the evidence upon which they were founded, stand recorded on the journals of the House —and who solemnly declared, that this most atrocious traffic had been, and continued to be, carried on in the most wanton and barbarous manner, could any argument

be necessary now to prove the propriety of its abolition? Or could the House feel the necessity of longer delay, when they were told, that since the adoption of those resolutions to abolish this infamous trade, no less than 360,000 wretched individuals had been torn from the coast of Africa, in consequence of war and violence, fomented for the purpose of seizing and consigning them to slavery in the West-Indies. An honourable general had said, that, if this trade were to be abolished, his constituents of Liverpool must come to that House for compensation, and that a great source of revenue must be destroyed: be it so, at any expence, rather than hold the detestable principle, that the debts of England were to be paid with the blood of Africa. The noble lord had said that the progress of abolition must be gradual, and that it could only be effected in concert with our West India planters. In such a case, indeed, the prospect must not only be far distant but utterly hopeless, as the planters were a set of men whose assent could never be obtained; and he would beg leave to refer to the former correspondence of Lord Seymour and the West India planters on this subject, to shew their intention to blindfold and mislead Parliament upon the subject. He trusted the House, in its final decision, would not be guided by such testimony.

General Gascoyne considered the present discussion as pregnant with dangerous consequences to our West India colonies, as exciting there the most dangerous expectations in the minds of the negroes. He also considered the present period, when our manufactories and commerce so loudly called for every encouragement, as peculiarly unfit for the agitation of the present question. When was the export of our manufactures more restrained, or when was it more difficult to raise the necessary supplies? Yet, labouring under such manifold difficulties, we were now called upon to do that which the House had lately rejected, and pledge ourselves to the adoption of a measure, that would weaken and derange the whole of our colonial system, and would materially impair the sources of our revenue and commerce. Besides, he was not convinced that this country could legislate for the colonies, or had a right to impose any prohibitions with regard to the importation of slaves, more than they were entitled to impose taxes on the colonies. The learned gentleman who preceded him had applied every epithet of murder, rapine, and robbery

to the slave trade, and every kind of invective had been familiar to his mouth. But, in his opinion, slavery had been sanctioned by the regulations of the wisest and most pious legislators. In proof of this, he quoted several verses from the twenty-fifth chapter of Leviticus, from which he contended that the practice was countenanced by the Jewish lawgiver. But should the slave trade be abolished, he contended that indemnification should be given to those who had embarked their property in the trade under the faith of legislative sanction, and that, unless this were done, the House would be guilty of similar injustice to that which it reprobated in the trade itself. The general prosperity of the country depended greatly on that of the colonies, and these could never be cultivated to advantage but by means of negroes. This being the case, their importation could never be effectually restrained by any legislative interference of this country. He objected also to the resolution, on the ground of its pledging the House to an indefinite measure, which future circumstances might prevent them from ever carrying into effect.

Mr. Wilberforce said, that with regard to one part of the honourable general's speech, he was doubtful whether he should not have interrupted him by calling him to order. But if the honourable gentleman could believe that slavery was sanctioned by our holy religion, he should only feel disposed to pity his weakness and error, and should endeavour to rectify his mistake in the spirit of mildness and conciliation. It was the glory of our religion, that it not only forbade all those odious means by which slaves were procured, but expressly prohibited the practice of man-stealing, and called us to act on a principle of universal philanthrophy, and kind good-will to all men. But he should ever deprecate the introduction of such appeals to sacred authority into that House, as tending rather to ridicule than to any satisfactory result. He should have heard with pleasure the declarations of his noble friend, respecting the radical injustice of the traffic, had he not at the same time seemed to oppose every method that had been proposed for its abolition, and had not his speech been uniformly applauded by those who were friendly to the trade. They were perfectly willing to permit the trade to be railed at, while, in fact, it received their most effectual support. He himself had derived pleasure from the reflection, that the measures he had brought forward at different times on this

this subject had been supported by almost all the ablest men on both sides of the House, who had seldom agreed on any great measure of policy. If he had erred, he had erred with great authorities. But his noble friend, while he reprobated the principle of the slave trade, had obtained the support of those only who were friends to that traffic. The noble lord had proposed to accomplish the gradual abolition of the trade by means of duties on the importation of slaves. But this would only tend to increase the price of slaves; and surely the co-operation of the colonies, which was so little to be expected, would in this way become more necessary than in any other method that could be devised. It had been said, indeed, that it was absolutely necessary that the colonies should co-operate in the abolition, in order to render it effectual. This, however, he must deny; for the importation of various commodities into the West India islands had been prevented by legislative interference, and surely it would not be more difficult to prevent the importation of slaves, who, whatever they might have suffered, still exhibited some appearance of the human form. No measures, he contended, were to be expected from the colonies even for the gradual abolition of slavery. They had declared, that whatever steps might be taken for ameliorating the condition of slaves, these were in no degree to be considered as adopted with a view to the abolition of slavery, the perpetual enforcement of which they regarded as their birth-right, of which they should never be deprived. Even this language was more agreeable to him than the professions of others, who, while they pretended to wish for the abolition of slavery, yet effectually impeded it by every means in their power. It had been said that there must be something impracticable in the measure, since from the year 1792, when it had received the sanction of Parliament, nothing effectual had been done for its accomplishment. Parliament had at that period been actuated by an ardent feeling, which had been almost universal in the country. But it was to be regretted, that the feelings of benevolence were too apt to be evanescent, while interest was a cool and calculating principle; and the feelings of interest had gradually overpowered the dictates of philanthropy and the compunctions of humanity. He should have preferred the immediate introduction of a bill for the abolition of the slave trade; but he had submitted to the judgment of those who thought that at the present advanced

advanced period of the session there was little probability of its receiving the concurrence of Parliament. The former bill which had passed this House had not not been negatived by the Lords, but had been merely rejected on the ground of their not having sufficient time for its full discussion. But the present resolution would hold out the hope, that the House was now more desirous to fulfil that pledge which they had long ago held out to the country, and therefore it met with his cordial approbation and concurrence. On the whole, he conjured the House to recollect, that Providence had never connected the happiness and prosperity of any country with injustice; and that, whatever apparent prosperity the slave trade might produce, it would ultimately be found rotten to the core. There would be no need of bounties for the encouragement of negro population, as had been proposed by a noble lord, if the domestic comforts of the slave were properly attended to; and the only way of producing this effect would be the total abolition of the slave trade, which would force the planter, from a sense of interest, to improve the situation of the negro. But as long as the slave market could be resorted to, so long would the system of breeding be neglected.

Sir Wm. Young opposed the resolution, on the ground that, by hanging over the heads of the West India planters, it would materially diminish the value of their property, and induce those who had money by way of mortgage on their estates, to withdraw it altogether. He contended that the importation of slaves had not materially increased since the resolutions of the House in 1792. He deprecated discussions of this kind, as calculated to excite hopes in the negroes that it would be in the highest degree dangerous to realize.

Lord Henry Petty was unwilling to detain the House by observations at that late hour; but, as he had not hitherto enjoyed an opportunity of delivering his sentiments on the subject now before them, he trusted for their indulgence while he should now do so in as few words as possible. He conceived that there were very few persons who differed on the abstract principle of the injustice of the slave trade. On this principle the present resolution was founded, and should it now receive the sanction of the House, it would be afterwards for them to consider the practicable methods of acting upon it. In his opinion, the slave trade was contrary to every principle of humanity, justice, and sound policy.

policy. It commenced in the most nefarious practices, and was the parent and source of innumerable vices, that had long desolated the coast of Africa. The conveyance of slaves from their native land was accompanied with every kind of hardship and cruelty. It had been computed that one-half of them died on the passage, and the waste of British seamen was so great, that one-sixth perished in every voyage. The system of hardship and oppression thus begun, was perfected in the colonies to which they were transported, and produced the worst effects, not only on the character of the slaves themselves, but also on that of the planters. It had been said, that the negroes were a degraded and inferior race of beings, yet we had employed them in our dock-yards, and as soldiers in the West Indies, to great advantage. He contended, that the only reason why the population had not been sufficient to support itself, was the vice and misery which had been the consequences of their situation. The complete nullity of all attempts to improve the situation of the negroes by colonial legislation had been proved by documents on the table of the House; and Parliament was now called upon to advance straight forward to the accomplishment of the most magnificent plan that any legislature ever had it in its power to execute.

Mr. Rose objected to the time at which this resolution was proposed. He was against an immediate abolition, but would have concurred in any reasonable and gradual project. He had proposed that of duties till they amounted to a prohibition; but that had not been listened to. He had differed from his late right honourable friend on this point, and also on parliamentary reform. It was not to be expected that he would now concur in the resolution merely from respect to his memory. He had even proposed to quit his situation, lest his right honourable friend's sincerity should be questioned; but had not been allowed. He would oppose immediate abolition, because it led to emancipation; and the noble lord seemed to have that in contemplation.

Lord Henry Petty, in explanation, said, that he never had such a wild idea as that immediate emancipation should take place, but that the slaves should be free after having gone through the same situations as the vassals here, and been *adtripti-glebæ*, he certainly had in contemplation when he supported the abolition, which he considered as the first step to attain so desirable an object.

Mr.

Mr. Barham observed, that if we did abolish this abominable trade, we should one and all declare that we would contribute towards rendering compensation to the parties injured. The idea of there being any difficulty in the smuggling of negroes, he conceived to be one of the most absurd that could be entertained in the mind of any rational man. If we were to lay out almost the whole navy of England for that purpose, we would still find that cargoes of slaves would be landed, in spite of our most vigilant exertions to prevent such a practice. He was convinced that nothing could be more desirable than the emancipation of the negroes, when it could with safety be effected, but at present he was equally well assured that it would be almost impossible to bring their minds to bear the change; however, in process of time, it might probably be brought about.

Sir John Newport declared, in the most unequivocal terms, that he would venture to assure the House, and he believed without the hazard of a single contradiction, that every city, town, or other district, within that part of the united kingdom which he had the honour to represent, was unanimous in the detestation of this trade, which was carried on by fraud, oppression, and by blood. If a duty was to be laid on a limited number, it would be more liable to smuggling than if there existed a downright prohibition of the trade; for a ship might hover about a port, and say, if she was seen, that she intended to pay, whereas, if the traffic was prohibited, above a certain number would make the ship and cargo liable to confiscation.

Mr. Canning expressed some surprize at the question not having been brought on as soon as the present ministers came into office, as it was impossible, in the history of Parliament, to find a period that for such a length of time there was so little business done as within these few months past.

Mr. W. Smith expressed his decided opinion that emancipation never was intended by the abolitionists. From an official document he proved that no attention was paid to the morals of the slaves; and the trade was now got into such general disrepute, that he believed that there were some of the most respectable merchants in Liverpool itself, that were as anxious that the stain of trading in our fellow-men should be washed out of the character of Liverpool, as any gentleman in that House could be, that such a reflection

should no longer be suffered to exist upon the character of the nation.

Mr. Windham assured the House, that at present he wished nothing more than the abolition of the slave trade; when a proper period, however, should arrive, and that the concurrence of other powers should be obtained, he would not hesitate to say, that slavery itself ought not to be suffered to remain among the institutions of any civilised state.

Mr. Fox explained some points which an honourable general (Tarleton) opposite had mistaken. In this session, he might be allowed to add, he would endeavour to obtain the assent of the Lords to the proposition which he had stated. The pure dictates of christianity, which had already contributed more than any thing else towards the abolition, might afterwards lead to a grand and prudent emancipation. The trade at least was such as every principle of justice would induce us to abolish, whatever might be the inconvenience to which it would subject us. The concurrence of America was certain, if not immediate, and no other power was so well situated for the carrying on of this nefarious traffic, if even they were inclined to take it up after we had abolished it.

The question was then put, and the numbers were—

For the motion -	114
Against it - -	15
Majority -	99

On re-entering the gallery, after it had been cleared as usual for the division, we found Mr. Fox moving, That a conference be desired with the Lords on a subject that is particularly connected with the honour and humanity of the nation. Carried *nem. con.*

Lord Henry Petty was, on the motion of Mr. Fox, ordered to meet their lordships for that purpose.

Mr. Wilberforce, after a few prefatory observations, moved, That an humble address be presented to his Majesty, besecching him that he may be graciously pleased to adopt such measures as to him may seem meet, to induce America and the powers of Europe to unite with this country in a resolution to abolish the trade in slaves.

This was carried unanimously.

The other orders of the day were then disposed of, and the House adjourned at half after one.

HOUSE

HOUSE OF LORDS,

WEDNESDAY, JUNE 11.

Their lordships proceeded further in the Appeal "Seymour v. the Earl of Euston and Lord Henry Seymour." Mr. Perceval was heard on the part of the respondents, after which the further consideration of the appeal was postponed till Friday.

The Earl of Elgin took the oaths and his seat.

Larl Stanhope rose to address the house with respect to the form of proceeding the next day in Westminster Hall.

Strangers were excluded, and the discussion continued for near two hours.

ARMY.

On our re-admission we found *Lord Hawkesbury* addressing the house on the subject of limited service. His lordship adverted to the opinions which had been given by several general officers on the subject of enlisting for a term of years, and which, he said, had been called for in consequence of an opinion entertained by members of the late and preceding administrations that such an alteration in the mode of enlistment would be productive of benefit to the army. In consequence, however, of the tenor of the opinions which were given to his Royal Highness the Commander in Chief on being then called for, the idea of proposing enlistment for a term of years was abandoned. The present administration had, without any additional grounds whereon to found an opinion, adopted a contrary sentiment, and he was anxious that the House should be in possession of those opinions of military officers to which he alluded, in order that noble lords might clearly see the grounds on which the late administration had formed a deliberate opinion entirely inimical to enlisting for a term of years, and those on which the bill before the house must rest. He saw no good ground of objection to the production of these papers: but if there was any to laying them before the House in detail, he believed there was an abstract of the opinions and statements contained in them in the office of his Royal Highness the Commander in Chief, which might be considered an official paper, and which would answer the desired purpose. His lordship concluded by moving for an humble address to his Majesty, praying that copies of the opinions alluded to might be laid before the House.

The *Earl of Moira* considered the production of the

opinions alluded to as unnecessary and improper. He had, amongst other officers, been called upon for his opinion, in a letter from his Royal Highness the Commander in Chief, which was marked confidential, and to which he gave an answer, containing his opinion upon the subject, but which he had not the most distant supposition was ever to be laid before parliament. The same idea might probably influence most of the officers who gave their opinions; and who, not conceiving that their sentiments, thus confidentially given, were ever to be made public, might give their opinions in a diffuse and prolix style, or in a manner very different to that which they would have done, had they conceived that their letters were to be laid before parliament; he thought, therefore, it would be indelicate to drag forward opinions, thus privately and confidentially given, before a public assembly, and where the far greater part of the officers who had pronounced such opinions would have no opportunity of explaining their sentiments. Most of these opinions also were those of military men, and not of statesmen; they related to the effect on the interior discipline of regiments, which the measure proposed in the bill before the House might produce, rather than to those enlarged views upon the subject which must necessarily be entertained in that House. He could not, therefore, perceive any good that could be produced, by agreeing to the motion of the noble lord, whilst, at the same time, he deprecated any attempt to influence their lordships' minds by the opinions of others; above all, he protested against the idea started by the noble lord, of laying upon the table a paper from the Commander in Chief, in order to influence their lordships' opinions. However high the respect he entertained for that illustrious personage, he must protest against any motion of that description.

The Duke of Montrose contended, that the papers moved for by his noble friend ought to be produced, in order that many noble lords who had not had an opportunity of considering the question in the manner in which it had come before the late ministers, might see distinctly the grounds on which they had acted, in abandoning that measure, which was now brought forward by his Majesty's present ministers. He thought also that the opinions of the officers who had been called upon having been given in the manner in which they were to the Commander

der in Chief, might fairly be laid before parliament without the slightest indelicacy towards these officers.

The Earl of Suffolk said a few words in favour of enlisting for a term of years.

Lord Mulgrave thought a different interpretation ought to be put upon the word confidential to that given by the noble earl (Moira). From the letters being marked confidential, he should have conceived that it was only intended that the officers receiving them were not to mention the subject to others, or make it a matter of general conversation, but not that they were to call upon the Commander in Chief to keep their opinions secret after they had delivered them. He, as one of the officers called upon, had given an opinion favourable to enlistment for a term of years, but, at the same time, an opinion to which the measure now before the House had scarcely any similarity. He was of opinion that the reason given by the noble earl why the papers ought not to be produced was the very reason why they ought, namely, that in general they were only the opinions of military officers, and not those of statesmen. The House was too enlightened to require opinions from others as to general measures of legislation; but on a subject like the present they wanted military information, and that would be afforded by the production of these papers.

Lord Grenville conceived that the question had been much mistated by the noble lords who spoke of those military opinions as information which ought to be laid before the House. As to information, generally speaking, it meant a communication of evidence and of fact, and not merely the opinions of other men. It would be an unprecedented thing for the House to acquire argumentative opinions of those who were not members, in order to influence their determination. It was the duty of his Majesty's ministers to collect all the information they could derive from every source, before they brought forward the measures they were to propose; and when those measures were brought forward, it was their duty to support them by their own arguments, and not by the authority of other persons, or the influence of the names of men who were not members. If such a course could be permitted on the present occasion, a similar practice might prevail on almost every other occasion, and the House would have nothing else to do but to listen to the argumentative opinions of

other people. He conceived also, that it must be most disagreeable to the military officers themselves, to have a written opinion of theirs argued in a deliberative assembly, where they had no opportunity of explaining the principles upon which it was founded; and he thought the general officers, who had given those opinions, were too well acquainted with the constitution of the country, to suppose that their opinions had been demanded for the purpose of giving to parliament their ideas about the internal and political state of the country at the present crisis.

The motion was put and negatived.

The mutiny bill was read a second time, and committed for Friday.

The order for taking into consideration the petition of of Mr. Justice Fox was postponed till the next day se'nnight.

Lord Eldon presented a petition from William Watson, Esq. the serjeant at arms, stating the inadequacy of the emoluments attached to the office, which were unequal to the expenditure necessary in executing its duties, and praying for such relief as the House should think fit. His lordship supported the object of the petition, and was seconded by Earl Spencer. The petition was ordered to be referred to a committee on Monday.

An undefended appeal having been heard and decided upon,

Lord Eldon took the opportunity of giving notice, that he should, next session, bring forward some measure respecting costs in appeals, as at present the House could not award more than 200*l.* although the expences might actually amount to 7 or 800*l.* It then became an object with some persons to appeal to that House, merely for the purpose of gaining time, in cases where the interest of the of the money in the mean time, before the appeal could be heard, rendered the costs to be ultimately paid a matter of little consequence.

The Lord Chancellor said, it was a great abuse, and ought to be remedied. Adjourned.

HOUSE OF COMMONS.

WEDNESDAY, JUNE 11.

Sir Theophilus Metcalfe obtained leave to bring in a bill for incorporating the Globe Insurance Company.

Mr.

Mr. Robert Thornton presented a petition from the curriers and dealers in leather, of Colchester, against the flaying bill.

Mr. Douglas presented a petition from the tanners, harness-makers, and dealers in leather, of Birmingham, with the same object. Both ordered to be referred to the committee.

Mr. Alderman Combe obtained leave to bring in a bill to amend so much of an act for the improvement of the port of London, as related to the compensations to be granted in certain cases.

Mr. Vansittart moved for an account of the quantity of raw and thrown silk exported and imported to and from Great Britain, for twenty years, ending with 1806. Also for an account of the value of manufactured silk goods exported from Great Britain for the last twenty years, specifying the particular counties from which such exports were made. Also for a copy of the agreement of the commissioners of the treasury with the Duke of Grafton, under an act of the 43d of the King. And lastly, for a committee to sit the next day to consider what should be the rates of postage from this country to Malta and Gibraltar. These motions were agreed to, and the silk accounts were presented.

Ordered to lie on the table, and to be printed. The agreement was also presented, and ordered to be referred to a committee of the whole House the next day.

LORD MELVILLE.

A message from the Lords announced that their lordships had resolved to proceed further on the trial of Lord Melville the next day, at ten of the o'clock, in Westminster-hall, and that they had agreed to the Irish stamp-duty bill. The Speaker mentioned, that, in consequence of this message, he would take the chair the next morning at ten o'clock, and that the names of the managers and members would be called over at half past ten as usual.

The customs' fees bill was read a second time, and ordered to be committed the next day.

Mr. Alexander brought up the report of the committee on the general assessed tax act. The resolution relative to the exemptions were read and agreed to, and those who were appointed to bring in the assessed tax bill were ordered to make provision accordingly.

Mr. Fox gave notice that he would the next day move for

for leave to bring in a bill to prevent the carrying on of the slave trade in any ships except those that had already been engaged for that purpose for the present season.

WEST INDIA AUDITORS.

Lord Henry Petty moved for the order of the day for the House resolving itself into a committee on the West India auditors bill.

Mr. Rose wished, that, considering the state of ignorance in which the House was on this subject, the noble lord would allow at least twenty-four hours to examine into it. With a view to induce him to do this, he entered at some length into what had been done before, for correcting the West India abuses, and into the merits of this bill. He stated, that in 1797 he himself had corresponded with the West India commissioners of the customs, respecting the abuses committed in the West Indies, and that the consequence was, that the commissary-general was superseded; that the commissioners were ordered to make inquiries into the abuses, and to report to the treasury; that the auditors had been applied to, in order to learn whether any increase of their establishment would enable them to bring up these accounts; that the auditors had answered, that this business would require sixteen additional clerks, and four additional inspectors, and that these must go through a gradual course of instruction; that the treasury had taken this answer into consideration the day on which it was given in, and the consequence of all had been, the act which by the present bill was intended to be repealed. The noble lord, he said, had come down to the House, out of breath, mentioned that monstrous abuses had been discovered, and given notice that he would, in a short time, state to the House what would astonish them, but that he would do something that would quiet their apprehensions, and the consequence was this bill. Now, a bolder attempt, merely to gain patronage, without the smallest prospect of advantage to the public, never was exhibited in this world. One great object of the noble lord appeared to be to discredit the late administration, and to praise himself. Commissioners had already been appointed for the professed object of this bill, and the bill did, in fact, nothing more than had been done by the former one. In order to prove this, he commented on the different clauses of the present bill. It appointed nineteen commissioners, including those which had been

been before appointed, out of which nine were new appointments, with an expence of 1,500*l.* a year. It placed the power of appointing these commissioners in the treasury, a thing that had never been done in any act since the Revolution. Excepting these additional commissioners, the additional expence and the unprecedented patronage for the treasury, the bill did nothing more than the former bill. The whole professed object might be answered without any additional expence, and therefore the bill appeared to be nothing else than a piece of management to fix the character of negligence and inattention on the late government, and to increase the popularity and patronage of the present. He hoped, therefore, that a delay of twenty-four hours would be granted.

Lord Henry Petty thought it remarkable, that after the right honourable gentleman had stated the ignorance of the House on this subject, he had gone into a full discussion on the point, and availed himself of that ignorance in order to favour his own views. He had no objection to the delay, but he would prove that the object was not to procure patronage from the treasury, although this was a strange objection from the right honourable gentleman. He would prove that a more useful measure, both generally and in detail, had never been submitted to the House on this subject. As to the statement respecting his conduct in proposing the measure, he did not think it worth his while to give any detailed answer. He could only assure the House that he had not been out of breath, and that he had given no such notice of something to astonish the House, as the right honourable gentleman had stated, and for the truth of this he appealed to the recollection of the House. As to the appointment of the commissioners, the right hon. gentleman had stated that an additional nine had been permanently appointed, whereas the appointment was only temporary, and particularly applicable to the circumstances of the case, as the accounts were, from neglect, in such a situation, that nothing but such a measure as this could bring them into the condition in which they ought to be. He concluded by moving that the House should the next day go into the committee.

Mr. Rose asked when the noble lord intended to bring forward his general plan for auditing the public accounts, as he would then prove to the House that there was no foun-

dation for the charges of negligence that had been brought against the late administration?

Lord Henry Petty was happy to announce, that he should be enabled to lay it before the House in a few days.

It was then agreed that the bill should be committed the next day.

Mr. Rose gave notice that he would then move for certain papers relative to the public accounts.

MARQUIS WELLESLEY.

Mr. Paull moved that the order of the House of the 22d of April last, relative to Indian papers, should be obeyed forthwith. This was agreed to. He then moved that the correspondence of the governor-general and his secretary, with Major Ouseley, aid-de-camp to the nabob vizier, during the year 1802, should be laid before the House.

Sir Arthur Wellesley had no objection, on the part of Marquis Wellesley, but, as it involved the character of Mr. Treeves, an honourable gentleman who was absent, he submitted whether it would not be better to give a notice at present, and leave the board of controul to consider whether the correspondence ought to be produced.

Mr. Paull said that he did not move for these papers with any view to the character of the gentleman alluded to; but they were very important with respect to the Oude charge, as they would prove that Major Ouseley had been threatened with disgraceful expulsion, except he made some communication which had been required of him.

Mr. Wellesley Pole trusted that the House would observe, that there was no objection to the production of this correspondence, on the part of Marquis Wellesley. They only meant to enter their protest against any attack on the character of an individual who had no opportunity of defending himself.

After a few words from Mr. Paull, Mr. Creevey, and Sir Arthur Wellesley, a notice of the motion was given for the next day.

Sir Arthur Wellesley gave notice that he would, the next day, move for six inclosures in a letter from the Governor-general to the court of directors, of the 28th of March, 1803.

CHELSEA BILL.

Mr. Windham moved the third reading of the Chelsea bill.

Mr.

Mr. Huskisson observed that his objections to this measure had received strength from a more mature consideration of them. He still maintained that Parliament ought not to bind itself to pay any money without an estimate, and he also thought that the plan was derogatory to the Crown, as the object might have been attained by its power without this application to Parliament. He then objected to the plan of limited service, which, in his opinion, would put it out of the power of Parliament to disband any part of the army without continuing their pay, and might spread a number of veterans over the country, which, like those of Sylla, Marius, and Octavius Cæsar, might be dangerous to the liberties of the country.

Mr. Windham was rising, when

General Tarleton said, that such an important measure ought not to be discussed in so thin a House, and moved the standing order, that the House be counted. Strangers were then ordered to withdraw. It appeared, however, that there was a House.

When the gallery was re-opened, *Mr. Windham* was on his legs. He entered into a general history of the debates that have taken place on the subject of his military system, and observed that the arguments which were at one time advanced by the honourable gentleman opposite, were so completely at variance with those adopted by the same honourable gentleman at another, that the one set of arguments might very fairly serve for an answer to the other. However he should endeavour to satisfy the honourable gentleman as to each distinct point of objection, without any consideration of it in a relative view with respect to the objections which were at other times started. The argument as to what was called the invasion of the right of Parliament seemed now to be principally dwelt upon. But he would beg gentlemen to consider for a moment, first, what was the nature of the confidence generally placed in the crown; then, what sort of confidence that was which was acted on with respect to the army in particular at other times. By comparison, these gentlemen would see how far the principle of the present bill was at variance with, or agreeable to, those general principles which have been uniformly acted on by Parliament. In all treaties, but most particularly in commercial treaties, is there not a degree of confidence reposed in the Crown? But, more especially, do we see the existence of that confidence in any transaction

relative to the army? Is not the soldier first engaged by the Crown, and is not that engagement afterwards sanctioned by Parliament? Are not the terms now agreed on for life, and yet does not Parliament annually deliberate whether they shall approve of that engagement or not? And there can be no doubt that Parliament has the power of refusing to grant the pay to the soldier, or where is the use of an annual mutiny bill? In the interim the soldier has to rely on Parliament for his pay; the same principle will still be to be acted on. Then as to the argument, that by the periodical discharge of men, the country would be overloaded with these dangerous set of veterans, at a time when every statesman acknowledges the necessity of adding to the military strength of the nation, will any man seriously declare that it would be wrong to have such a corps-de-reserve to call upon in case of any sudden emergency? Are not the volunteers a military body; nay, are they not military with arms in their hands? and yet, danger is said to be apprehended from these unarmed men who shall have obtained their discharge from the army, and return to the avocations of civil life! Where, he would ask, was the consistency in these modes of reasoning? It was said, however, that we could not disband a regiment in time of peace because the terms had been agreed on, and that, if we discharged a soldier, we would rob him of the benefit to which he would have otherwise been entitled at the expiration of his seven years, and so forth. Gentlemen need only to look at the specific term of the oath, where it is expressly stated that a man engages to serve so long "*in case the King shall have occasion for his services.*" Then, surely, there cannot be any breach of contract, nor can we be said to have acted ungenerously by a man when we shall have told him that the King has no longer any occasion for his services; when at the same time the man knows that he has sworn to continue in the service with that precise condition that the King shall so long have occasion for his services. If this was wrong, he would ask again, what would become of the annual mutiny bill?

Mr. Huskisson explained.

Sir James Pulteney and Lord Castlereagh requested that the right honourable Secretary would consent to the postponement of the question till the next day, on the ground that several gentlemen, who were not then in the House, wished

wished to have an opportunity of delivering their sentiments on the subject.

Mr. Secretary Windham, however, did not see any necessity for farther delay in the progress of a bill which had already received most ample discussion.

General Tarleton then moved that the House be counted.

Strangers were accordingly excluded. Only thirty-five members being then in the House, an adjournment took place of course.

HOUSE OF LORDS.

THURSDAY, JUNE 12.

Their lordships proceeded in the usual form to Westminster-hall, previous to which Lord Hood of Catherington was introduced, and took the oaths and his seat.

They returned about four, when the House came to a resolution, that this House, having taken into consideration the articles of impeachment against Henry Lord Viscount Melville, do acquit the said Henry Lord Viscount Melville thereof, and he is hereby acquitted of all the high crimes and misdemeanours on the articles of charge exhibited against him by the Commons, and of all matters and things therein contained, and this House do hereby dismiss the said impeachment.

An order, usual on such occasions, was made relative to the publication of the trial, and after transacting some private business the House adjourned.

HOUSE OF COMMONS.

THURSDAY, JUNE 12.

A good deal of routine business was gone through. Among others, the additional assessed taxes bill was read a first time, and ordered to be read a second time the next day.

In a committee, certain rates were fixed, as the postage of letters between Falmouth and Gibraltar and Malta.

The second reading of the Nabob of Arcot's creditors' bill, and the committee on the grain interchange bill, were postponed till Monday.

In a committee on the foreign linen drawback bill, Mr. Foster proposed to fill up the blank with 25th December next, for which Lord Henry Petty proposed to substitute the words 25th March, 1806.

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On this the gallery was cleared.

A division took place in the committee, and the report ordered for the next day.

UNAUDITED ACCOUNTS.

Mr. Rose moved for the production of some unaudited accounts in the department of the Secretary at War, namely, those of a gentleman named Lukin, a relation of Mr. Windham, and on whom that right honourable gentleman, while Secretary at War, had conferred an employment in the department relating to foreign troops; and also for the unaudited accounts of Mr. Wickham, while attendant on the armies of our allies on the continent, during the last war. Mr. Rose, in moving for these papers, made some allusions to the oddity of the circumstance, that Mr. Lukin, who was the relation of the right honourable gentleman at the head of the war department, should have his accounts audited and settled by the Secretary at War, instead of being referred to the auditors of public accounts; and with respect to Mr. Wickham, he observed, that it was pretty extraordinary that that right honourable gentleman, who acted as commissary on the continent during the last war, and whose accounts, to a very large amount, were yet unsettled, should be one of the loudest in cheering the proposition of the noble lord opposite to him, for establishing his new commission of audit, on the day he brought it forward; and, as so much pains had been taken by his Majesty's present ministers to cast an odium on the conduct of their predecessors, and to charge them with criminal neglect, for suffering such an accumulation of unaudited accounts to grow under their authority, he thought it right the House should see that all this accumulation had not been wholly imputable to those ministers who are now out of office; but that right honourable gentlemen who were so strenuous in impeaching the neglect of others, had themselves incurred no inconsiderable share of the blame, if any was fairly imputable.

Lord Henry Petty asked if the right honourable gentleman had moved for those accounts with any view to found charges for the inculpation of the gentlemen he had mentioned?

Mr. Rose said, certainly not. He meant no charge nor insinuation against the gentlemen; nor had he any doubt that their accounts, when produced, would be perfectly fair and correct. He moved for the papers on public

grounds, because he thought they would be found to contain information necessary for the House, and to which, as a member, he had a right. He could assure the noble lord, that if ever he should contemplate a charge against any man, or any member of administration, while he had the honour of a seat in that House, he should bring it forward openly, candidly, manfully, and directly, and not insidiously, or by a side-wind.

Mr. Windham, with much animation, observed, that notwithstanding the right honourable gentleman's specious professions of candour and manliness, he had, on many occasions, endeavoured to let loose unwarrantable insinuations; and that, upon this occasion in particular, he had by a side-wind, and under the pretence of moving upon public grounds for public documents, offered an insinuation of the lowest class of description, and such as ought to awaken only the lowest class of feelings. It was true, one of the gentlemen he had so pointedly alluded to was his relation, and that he obtained for him the post alledged. In this he did not conceive himself to have departed from the constant usage of office; for if men, in coming into office, had relations, friends, or connections, as competent to subordinate employments as perfect strangers could be, he not only thought it admissible, but perfectly right, and, in some measure, incumbent on them to provide for persons of such a description. But did the right honourable gentleman presume to say, or would he venture even to avow an insinuation, that he (Mr. Windham) had, on this account, acted towards Mr. Lukin, his relation, with any degree of partiality or indulgence different from what he should have done by any other man? He believed the right honourable gentleman, with all his candour and boldness, would not venture such an assertion. He was not responsible for the conduct of Mr. Lukin, or the other gentleman who had been mentioned, though he was confident that he might very safely assume such a responsibility, as he was sure their conduct and their accounts would be found perfectly correct. But it so happened that the circumstances were not, as insinuated by the right honourable gentleman, that Mr. Lukin's accounts were settled while he was in office; it was a considerable time after. Mr. Lukin's anxiety to have his accounts settled in the office with which his business was transacted, and where he was always told his accounts would be settled, instead of being handed over to the

the auditors of public accounts, liable to all the delays he would have there to encounter, was but a very natural feeling; and on his (Mr. Windham's) quitting office, Mr. Lukin certainly did solicit him to use his influence to have the settlement of those accounts expedited; but he had declined all interference, and told Mr. Lukin they must take their course in the ordinary way.

Mr. Wickham (who, on account of some infirmity in his leg, was allowed to speak sitting) felt it necessary, after the pointed allusion made to himself, to explain his conduct. The official situation in which he was placed during the continental war was not, as stated by the right honourable gentleman, that of a commissary: he was attached to the army of the Archduke as his Majesty's plenipotentiary, and was charged with negociations for subsidizing troops. For the pay of those troops, he was officially acquainted that a large sum of money was deposited in the bank of Hamburgh, upon which drafts were to be given monthly for that purpose. In the treaties which he had formed for those subsidiary forces, every thing relating to pay, from the general down to the private, and every thing respecting forage and other contingencies, were minutely stipulated; and he had repeatedly written home to his government, urging the necessity of sending out able commissaries, to be constantly attached to these foreign regiments, and to see that their musters were correct, with powers to draw upon the Hamburgh bank. In answer to which, his instructions were, that the responsibility of drawing for money would not be vested in any commissary; but that he (Mr. Wickham) must take the superintendance of such issues, and after receiving the necessary certificates, signed by the commissaries, he must then, under his own hand, empower the commissaries to draw upon the bank at Hamburgh. This was a duty not of his seeking, but imposed upon him without even asking his assent; it formed a very laborious increase to the arduous duties with which he had been already charged. He undertook it, however, cheerfully, as he would have done one more arduous, for the public service. But he felt himself placed in a predicament in which no man of honour or feeling in his situation would wish to stand; not, as officially accredited, the plenipotentiary of his Majesty, in a diplomatic department, but as a check or controul upon the acting commissaries, and with a share of care and responsibility superadded to his other avocations.

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He had long felt the most earnest solicitude to have his accounts audited. He knew many other gentlemen in the same predicament, and some who, after waiting a series of years, had been obliged to go abroad on foreign stations, leaving their accounts still unpassed: and it was from his personal feelings of satisfaction, as well as his public sense of the utility and advantages of the system proposed by the noble Chancellor of the Exchequer for expediting the auditing of public accounts, that he had been zealous in cheering that system in a manner so peculiarly unpleasing to the right honourable gentleman.

Mr. Fox, after some animadversions on the *candour, manliness, and purity*, of the right honourable gentleman opposite to him, begged to observe, that the expenditures about which he seemed now so solicitous, and the delay of accounting for which had excited so much of his disapprobation, must have been some years officially known to the right honourable gentleman. If there was any thing improper or illegal in the manner of those expenditures being accounted for, why, he would ask, had not the right honourable gentleman, in his great anxiety for rectitude, long since moved for their production?

The papers were ordered.

Mr. Whitbread gave notice that he would on Monday move for a committee to inspect the lords' journals, relative to the proceedings in the impeachment of Lord Viscount Melville.

CHELSEA HOSPITAL BILL.

On the motion for the third reading of this bill,

Lord Castlereagh said, he felt such strong objections to the measure, that he hoped the House would indulge him in allowing him to state his opinion, in this late stage, as shortly as possible. The noble lord then inveighed against the bill, as a measure originally objectionable, from the number of utterly inadmissible clauses with which it was charged; but, as now reduced to a skeleton by the expunging of those clauses, it contained no one feature of any fundamental principle, for improving the situation of the soldier, which was not before in the power of his Majesty. So far then it was a mere *caput mortuum*; but in every thing else it was worse than nothing; for it would not only trench upon the prerogative of the Crown, like the other military bills of the right honourable gentleman, by taking away from the discretion of his Majesty those regulations which

should come from the Crown as boons and favours of the Sovereign to encourage good conduct in the soldier, but by giving that soldier a definitive, positive, and legal claim to those boons and favours stipulated at his enlistment, it would encourage indiscipline, and a spirit of independence of the approbation of his superiors, at all times the very soul of discipline; and in this respect it would prove also a hot-bed for the produce of law-suits. No such attempt to tamper with the army of the country had ever been attempted since the time of the Long Parliament, previous to the Revolution of 1641. The bill too, as it stood, held out a fallacious enactment to the recruit. Another objection was, that there had been no estimate whatever laid before the House as to the probable expence, nor any explanation given by the right honourable gentleman as to his own view of the subject, or in what manner he proposed to carry the bill into effect. Thus the House was called upon to vote in the dark, and to hold itself up to the ridicule of the country, along with the authors of the measure, and to involve in their disgrace and contempt those members, as parties to the measure, who had strenuously opposed it. The right honourable gentleman, who for three years past had made the alledged imperfections and absurdities of the existing military system the constant theme of his animadversion, and who, it might have been reasonably supposed, would be prepared with a faultless system of his own, to offer the moment he had an opportunity; yet now, after a delay of three or four months of deliberation and invention; after having caused his colleague, the Secretary at War, to bring forward no less than four successive mutiny bills, upon as many different estimates, to give further time for the grand measure, after all came forward with a system so complicated, so unintelligible, so unsatisfactory even to himself, so impracticable, and so subversive of that old established and long-tried system, by which the military glory of this realm had been maintained, as to excite universal disapprobation out of doors, and that of a great portion of the best-informed members within those walls. But the noble lord said, he did not mean to give the right honourable gentleman, who brought forward this bill, an exclusive monopoly for that systematic absurdity to the participation of which his colleagues had established so many obvious and unquestionable claims: the same system of slovenly cobbling and bungling marked all their measures

of financial and commercial arrangement. Here the noble lord adverted to the pig-iron tax, and private brewery tax, the first obstinately maintained and then abandoned; to the recurrence to old systems of taxation, instead of any thing new being provided; to the obnoxious modifications in the property tax; the American intercourse, and the slave trade prohibition bills. He was proceeding to expatiate on those several measures, when he was called to order by

Mr. Hawthorne, who said that such observations were totally irrelevant to the bill before the House.

Lord Castlereagh resumed, however, his observations, and was again called to order by

Sir William Young, who observed, that if the noble lord was to be indulged in this field of allusions to former measures and debates, and in the repetition of arguments used an hundred times before, and served up in almost every discussion that had occurred within the last two months, a precedent would be created which would really render it impossible to go on with the public business. The noble lord might as properly expect to be allowed to read, as part of his speech, a volume or two of the parliamentary history of the country. He put it to the noble lord's discretion, whether some consideration was not due to the time and patience of the House? or whether the attendance of members was to be protracted in this manner, night after night, to unseasonable hours, in the unnecessary, and, he might almost say, captious repetition of such discussions? If the honourable baronet was unsuccessful in the appeal to the discretion of the noble lord, he would appeal to the authority of the chair.

Lord Castlereagh rose again, and concluded by observing, that if he was disposed to trespass upon the attention of the House, by uttering all he felt, and exposing all the inconsistencies and absurdities that challenged observation in the conduct of his Majesty's ministers, the honourable baronet might indeed have cause to complain of the length of his speech, which might last for some days. He would, however, relieve the honourable baronet, by abstaining at present from adding more, than that our history presented no period similar to that since the appointment of the present ministers, so marked by procrastination, inconsistency, and bungling on their parts, and in which so little real business had been done. For his own part, he should

feel it a disgrace to be a member of any administration marked by such conduct.

Mr. Windham observed, that the noble lord had made a speech which it was extremely difficult to answer, not on account of the logical precision and clearness of the noble lord's positions, or the convincing force of his arguments; for of those properties in the noble lord's eloquence he had really no perception; but it was very possible to make a speech composed of heterogeneous materials, like that of the noble lord, and so inconsistent and contradictory in itself, as to be extremely difficult to be answered in a regular way. The noble lord's speech on this occasion, and which would do just as well for any other, exhibited a *melange* of all those topics of assertions and arguments, which had been used by himself and his friends so repeatedly of late, and so repeatedly and completely refuted, that he did not mean to follow the noble lord round the sort of grand tour he had made, feeling, as he did, some consideration for the patience of the House. The noble lord had talked much of the military plans he had introduced, and had talked of this bill having been preceded by four mutiny bills; and he had adverted to this assertion nearly as often as four times four, like the story of the four pilgrims, or, as if there were some peculiar virtue or conjuration in four, like the mystic number of Pythagoras. But he begged to remind the noble lord, that there were but two mutiny bills for that period, brought forward upon grounds with which the House seemed very well pleased; and he begged to ask the noble lord what injury had accrued to the country, or inconvenience to the public service, from the manner of passing those bills? The present bill was said, one time, to do the most alarming mischief, and the next moment it was a mere skeleton, a *caput mortuum*, and did nothing, or worse than nothing: one time it was totally inefficient, and again it was most mischievously efficient. It was at first utterly inadmissible, on account of certain obnoxious clauses, and now it seems it was rendered much worse by the expunging of those clauses. Now really, with all due deference to the profound logic and consistent precision of the noble lord, these were properties which could not by possibility exist in the same measure. The bill, in a committee, had certainly undergone considerable alterations. It had been reduced in point of volume and extent; but it was thereby rendered more compact and precise, and therefore more

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simple in its operation: but, perhaps, the noble lord thought this an imperfection, and judged of it, not by its strength and clearness, but its bulk, as ignorant people do sometimes of a medicine, conceiving that a pill can have no virtue, because, instead of being like a *musquet ball*, it is no bigger than a *pin's head*. But the value of a thing did not always consist in its bulk, and it was by no means impossible to render either a *speech* or a *bill* better by abridgment, as the present bill and the last speech would evince. The bill, in fact, in its present shape, did every thing which it ought to do; it established and declared a principle, and left the application of that principle, where it ought to be left, in the hands of his Majesty. It did by legislation all that legislation ought to do, and left to regulation what properly belonged to it; and as to the performance towards the soldier of every thing the bill promised, it stood upon the same ground as the pay of the army, the provisions of the mutiny bill, and the present allowances of Chelsea hospital, namely, the faith of parliament, which was not the less honourable or the less punctually kept because its votes were only annual. The noble lord complained that the bill was unintelligible as to its objects; but he had made a very long speech to prove the contrary, at least so far as respected himself; and he believed the noble lord was the only person in the House who could plead weakness of intellect on the subject. Another charge was, that he had not made a speech to explain his own view of the subject, or the mode by which he meant to carry the bill into effect. But he should conceive, if that were really necessary, the charge of unintelligibility would be justly incurred. The bill had gone through its regular stages; every regular opportunity for discussion had been afforded, and if the noble lord was still unenlightened upon the subject, he must refer him to the bill, which would speak for itself.

Mr. Perceval, after some preliminary observations, said, that whether this all-wise, this all-perfect administration ought to form an exception, whether the House could safely confide in them to the extent demanded, was a question upon which, perhaps, there might be some difference of opinion upon the different sides of the House; but after the experience we have had of the inaccuracy, in all detail, the imprudence, and the peculiar indiscretion of the right honourable gentleman (Mr. Windham), who presided, as it should seem, with such uncontrouled sway, over this branch

branch of national service; whether the House should vote away thus blindfold the money of the people, reposing implicit confidence that it would be discreetly applied, was a question on which, he believed, there could be no difference of opinion on either side of the House. Yet that was what the House would be called upon to do; for he defied any man to say when he voted for the passing of this bill, whether the pension to the discharged soldier was to be one shilling a day, or two, or five, or ten. That all was to depend upon the orders hereafter to be made by his Majesty, which orders the prudence of the right honourable gentleman (Mr. Windham) would have to frame. And the disgraceful state in which the House, as the guardian of the public purse, was placed by this proceeding, was the more remarkable, when it was recollected what had been said by the right honourable secretary for the war department. For it had been admitted by him, that the House could not possibly discuss or consider the alteration which had been adopted in the mutiny bill without having under consideration at the same time these Chelsea regulations. For this purpose, the two bills were to be in the House together, their progress through the House was to be concurrent, and they were to be taken into consideration, as far as the forms of the House would admit, at the same time. To enable the House to do this, he said, the bill now under consideration was originally introduced with several clauses, affecting to detail several of the regulations which were to be adopted; they were clauses, which, till the blanks were filled up in them, it was impossible to understand; and the only mode which the House had had of guessing even at what the effect of them would be, was by such recollection as might remain of the right honourable gentleman's speech (Mr. Windham's) ten or twelve weeks before. But when this bill went into the committee, the House, he said, had some hopes that these blanks would be filled up, and that it would come out of the committee in a state in which it could be understood. But no; the very reverse of these expectations took place; the committee instead of filling up the blanks in the clauses, struck out the clauses: instead of filling up the blanks, made in this respect one great blank; one great blank *una litura* was the amendment. And here again, he said, the right honourable gentleman has misconceived his noble friend (Lord Castlereagh); for imagining that the noble lord had objected to this course of proceeding,

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ing, as taking the House by surprise, he had reminded the House that there could be no ground for that charge, because the bill had been recommitted. But his noble friend, he said, had not adverted to this circumstance with a view to charge any want of candour on the proceeding. He had mentioned it only to account for his having delayed, till so late a stage of the bill as the third reading, to make any observations upon it. In the stages prior to the committee, the noble lord had shewn that it was impossible to make any, because, till the blanks were filled up, there was no understanding the clauses; when the clauses were struck out, there was no possibility of doing it on the recommitment; unless it could be supposed that it was the duty of the noble lord on the recommitment, to try what he could do at framing clauses to execute the right honourable gentleman's idea, which the right honourable gentleman seemed to have despaired of being able to do himself, and therefore had struck the clauses out altogether. When therefore these clauses were struck out, the objections to the bill assumed a new shape; a formidable objection to its principle arose, that, namely, which he had already adverted to, and which had upon the recommitment been pointed out to the right honourable gentleman by an honourable friend of his near him (Mr. Huskisson). For that gentleman, he said, did upon that occasion point out the objections which then existed for the first time; namely, that of enabling the king to make any orders, and incur any expences by those orders, which he might please; and pledging Parliament before hand to undertake to ratify those orders, and bear their expence. And he said it was just worthy of remark, that this objection, which was so urged by his honourable friend, (Mr. Huskisson) had at the time been treated by the right honourable gentleman, as every thing which came from the side of the House where he stood was uniformly treated, as the mere objection of party, which had nothing in it, and bespoke only a determined spirit to oppose every thing. But when the bill was reported, at three o'clock in the morning, after the House had been tired by a long debate, the notable amendment was introduced, which the House was then considering; and when the bill came yesterday to be read a third time, the side of the House on which he was standing was for the first time acquainted with its existence. At that time the House was extremely thin, and it was proposed to the right honourable gentle-

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man to postpone the discussion till the day when he was then speaking: but the right hon. gentleman would not consent to it, and then the honourable general who had been alluded to (General Tarleton) feeling no doubt that such a bill should not, at the only occasion in which it was to receive any discussion, be discussed to empty benches, did move that the House should be counted, and it was found that there were not forty members, and therefore the adjournment, which the right honourable gentleman did not choose to consent to, was obtained, by shewing that the House was not in a condition to go on with the debate. Mr. Perceval then observed upon the ridicule which the right honourable gentleman had cast upon the objection made to the reducing the bill in its size, as if necessarily that would reduce its power and effect; but he contended that nothing had fallen from the noble lord which at all justified that ridicule. The noble lord was well aware that this comprehensive mode of legislating, that is the mode of legislating by giving the power to the King to make the regulations instead of making them in the act itself, might certainly be much more effectual than the other. And it was one, he said, which the right honourable gentleman, if the House by permitting it encouraged him, might perhaps be particularly disposed to adopt; because by that means he would avoid all detail of provision and regulation, which as he certainly did not peculiarly shine in it, he might possibly be very well inclined to get rid of. And upon the same principle the whole business of the session might be comprised in one short, compact, tight little act, very mighty in operation though very small in size, he meant an act to enable his Majesty, by order in council, to make any laws he pleased. Certainly, he said, he was ready to admit that the right honourable gentleman's constitutional principles would never let him carry his love of short acts of Parliament, and his hatred of detail, to such an extent. And he would admit further, that as the act was now last amended, it in no degree whatever partook of the objectionable quality which would attach to so comprehensive an act as that which he had last alluded to. For, he said, he would undertake to demonstrate, by a short examination of the clause as now amended, that so far from its conferring too great powers on the Crown, it absolutely conferred none at all. One had heard, he said, of persons who were famous for doing *magno conatu nihil*; of making great exertions, and

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those exertions ending in nothing—and the House had then before it an illustrious instance of it. The right honourable gentleman had here called all the powers of legislation into action, and had gone through all its forms, and at last ushered it forth as a work of as consummate skill as it was of elaborate labour; it was, however, actually nothing—*superbum et magnificentissimum nihil.* But, he said, the right honourable gentleman had observed, that though the noble lord had objected to this measure as not effecting any object which the noble lord approved, or as not effecting it in the manner which he thought right, yet the right honourable gentleman observed it effected his own object, and that he had all along been pursuing his own ideas; he added, he had no doubt that it was so; but that it certainly appeared from what he had already said, that the ideas of the right honourable gentleman had led him a very long and a very varied chase. The first idea was to bring in a bill which should contain the detail of regulations, and this the right honourable gentleman pursued till he got into the committee, and there he ran down that idea; then a new idea started, namely, that of giving an uncontrouled power to the Crown to regulate, as it might be advised; and this idea he pursued through the first committee, and could not be diverted from the pursuit of it on the recommitment. But this idea shared the fate of the former upon the report, and there it was fairly run down and brought to its end. The third idea that then started, was the idea which the right honourable gentleman was then pursuing, namely, that of giving the power to the Crown to order, and leaving it to Parliament afterwards to say whether the order shall prevail. And if the right honourable gentleman would persevere in pursuing this last idea, he was persuaded he could prove that it would lead his clause, his bill, his measure, and himself, into one common pit of inefficiency, where all would be lost together: and this, he said, he would undertake to prove by an examination of the clause. But before he did that, he said, he could not forbear expressing his regret and disappointment at not finding in this bill, that clause which was in the right honourable gentleman's first bill, (the repeal of the army of reserve act) namely, the clause enacting Parliament to amend, alter, or repeal the act during the present session. The right hon. gentleman when he first engaged himself in the art of legislation, dared

not trust his act a whole session, he wisely provided for the possibility of amendment in the course of it. But now use has made him skilful and bold; and he ventures on a stronger wing to take a greater flight. He said he could not but think that the right hon. gentleman overrated his strength, and that he was too venturesome; and indeed he had hoped, by the recollection of the first bill, he would have been confirmed in the necessity of such caution, rather than indeed to despise it; for though it were only an act to repeal another, yet he had himself pointed out to the right honourable gentleman, on the third reading, so great and clear a defect in it, that the right honourable gentleman had been prevailed upon to adjourn the third reading to the next day, in order that he might have an opportunity of preparing a rider to be added to the bill, to correct that imperfection—and but for that correction, the bill would have passed, and actually deprived the families of all those men who had inlisted from the army of reserve, perhaps not less than from 30 to 40,000 men, of those allowances for their families, which the faith of Parliament had pledged to them when they first enlisted; and he said, he could not but, therefore, take the liberty of recommending to the right honourable gentleman to make it an invariable rule, never to attempt to bring in an act of Parliament without guarding himself with the power of doing that which in all probability would be necessary, namely, that of either amending or repealing it in the same session. To come then to the clause in question, he said, that it enacted that the discharged soldier "should become legally entitled to receive such pension, allowance, or relief, as shall have been fixed in any orders or regulations made by his Majesty in relation to his cause of discharge, and in force at the time of his enlistment, and for the payment whereof money shall have been voted by Parliament." And the last words he said, were those which were introduced on the last amendment. Now, he said, he must beg to ask the right honourable gentleman what he meant by those words? The right honourable gentleman had just said to his noble friend, as an excuse for not answering a speech of such strong and clear argument, that he did not like to attempt it; that his reason for not answering it was, that he really did not understand it—"that true, no meaning puzzled more than wit." Now, he said, he could not tell whether it was the total absence of meaning

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ing in this amendment, or the excess and abundance of its good sense and wit, that disabled him from understanding it, for he certainly must confess that he was completely puzzled by it. Did it mean that, to give the soldier the vested right to his pension, the money shall have been voted for the payment of it at the time when he enlisted, or that it will be enough if the money shall have been voted subsequent to his enlistment, but at the time of his discharge? He said, he perceived that the right honourable gentleman was looking at the words; he really believed that they would not help him to his meaning, but he thought it rather odd, though he might have difficulty in telling him what the true construction of the amendment was as it was worded, that he could not tell him what his own meaning had been, and what he had intended to convey; he said he was aware he was not entitled, in strict Parliamentary form, to put a question to the right honourable gentleman in the midst of his speech, but he really wished that he would indulge him with one. Because, if he would but tell him which it was he meant, he would content himself with shewing the absurdity and inapplicability of that meaning to the right honourable gentleman's object; but if he would not tell him, he should be under the necessity of troubling the right honourable gentleman and the House with hearing the absurdity and inapplicability of both meanings. From the honourable gentleman's refusing to answer, as he perceived he intended to do, he however drew this consolation, that it was not his own peculiar stupidity and dulness which prevented him from understanding it, that he was not the only gentleman that was puzzled with it; and, indeed, there was no longer any wonder that the words failed to convey any precise meaning, for that there never had been any precise meaning to be conveyed, and that the right honourable gentleman was as much at a loss to tell him what his own meaning was, as he was at a loss to find it out from his words. Being compelled therefore to examine the effect of the amendment, supposing it to have either of the two meanings; he would, he said, first take it upon the supposition that the money must have been voted by Parliament for the execution of the King's order, previous to the soldier's enlistment, in order to give him his title to the pension under it. Then it would be obvious, first, that if the soldier enlisted under an order

for the execution of which no money had at that time been voted, the soldier, though induced to enlist under the beneficial terms which the order held out to him, so far from having any title to allowance which he could enforce at law, he would, under this act, have no title at all; and it would have been his folly to have trusted to the order before it had that ratification, and instead of being more secure, he would be actually deluded by it. But then it might be said that would only operate during the interval till the money should be voted; true, he said; but then he asked what was the use of this act of Parliament, for without this act of Parliament the King undoubtedly might issue an order, and not attempting to act upon it till he submitted it to Parliament, if Parliament adopted it, it would then be binding; but evidently, both in one case and the other, the binding effect of it would be equally derived from the subsequent ratification of Parliament, and this act therefore would do nothing. In the next place, to consider it on the supposition that the subsequent vote of Parliament should have a retrospective operation, and give validity to the King's prior order, so as to cover the intermediate enlistment of any soldier, and which, he said, he certainly should have thought must have been the right honourable gentleman's meaning, if he had not seemed to have so much difficulty in telling him so; upon that supposition, he said, it was obvious that the last observation applies equally to an order so depending as to its validity, upon the subsequent ratification of Parliament; with this increased objection, that in the mean time the soldier who was enlisted would be so far from being better secured in his title to his future pension, that if he had rested solely on the King's engagement without any act of Parliament, that he would be less secure; if he had trusted to the King's promise contained in his order, he would have trusted to that which in no experience had ever been known to fail the soldier. But if he enlists under an order, which professing not to be valid till it is subsequently ratified, he will have no right to complain if Parliament does not ratify it; and this he contended was unanswerably clear, unless the right honourable gentleman would contend that Parliament would in such case be bound to ratify the order; and if that was so, he desired to ask in what respect the power and controul of Parliament was reserved by this amendment? But he said, he had argued this hitherto,

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as if the amendment meant that the order was to be ratified at least in the next session of Parliament; but if that were so, nothing could be so unhappily chosen as the words of it—for he observed that the words were "that he should be entitled to a pension, for the payment whereof money should have been voted, &c." Now the pension was not to be due in any case till 14 years after enlistment, and in many not till 21 years. Was it intended then seriously that the House of Commons should next year vote money for the payment of a pension which would not be due till 14 or 21 years hence; it could not be so meant. The House of Commons would, according to its usual course, not vote money for the payment of a pension till it was due; and consequently would not vote it till the 14 or the 21 years were elapsed; and during the whole period of the soldier's service it would depend upon the future vote of the House of Commons, whether he should or should not have the pension; and this was the vested right that the right honourable gentleman provided, in order to bring recruits in abundance to the army. But then he desired again to know what was meant by "voted by Parliament?" Did it mean the vote of the House of Commons; or the grant of the whole legislature? If it meant the vote of the House of Commons, he said it certainly did not express its meaning, because the House of Commons was not Parliament. If it meant the whole legislature, then the whole legislature never voted money, but granted it, or appropriated it And though he said the right honourable secretary for foreign affairs seemed to laugh at this observation, as a mere verbal criticism, yet he owned, he did not think that such incorrectness of language was at all that which was proper for Parliament to use: but he said the slovenly appearance which it exhibited, in common with every other act of the present administration; for if it only affected them he should not care; for their character for accuracy, or any other merit, he did not affect any anxiety, but he did, he said, feel for the character of Parliament, and he pointed out his objection, which his learned friend (the Attorney General) might remove by a mere stroke or two of his pen, before the third reading of the bill, in order that the character of that House should not be involved in the disgrace of that slovenly inaccuracy which so justly belonged to the administration itself. They will judge, indeed, he said, whether they will think it worth-

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while to make any alteration in this respect; possibly, as they must feel the whole act totally inefficacious, and merely waste paper, they would rather it should pass with this additional blemish upon it, than by submitting to adopt any alteration suggested by him, give another acknowledgment under their own hands, as it were, of the imperfection of their own unassisted exertions. But this was to give the soldier, he said, a legal vested right. Therefore the inaccuracy in the expression was not a mere clerical or critical error; for as no action could be brought till the money was not only voted, but was raised, and was got into the hands of some public officer, and was appropriated in his hands to the payment of the soldier's pension, the words should not only be corrected, but the whole provision must be extended, otherwise, as it stands, if the soldier is to have any legal mode of enforcing his demand at all, it must be by his petition of right alone. And then, he said, the upshot of the whole of this notable expedient to make the soldier so sure and certain of his future allowance was this, the King may make an order, under which if a soldier enlists he will have a legal right to his future pension, provided Parliament, 14 or 21 years after, shall think proper to ratify the order by granting money for the payment of that pension; and that right shall be so clearly and securely vested in the soldier, that he shall be able to enforce it by a legal suit, namely, a petition of right. Now that there can be no greater complication of absurdity in one little clause of one act of Parliament, he said, he would not affirm, because the right honourable gentleman has other bills yet to bring in; and as he has great powers in this style of legislation, perhaps he may yet exceed what he has already done. But he trusted that he had made good his undertaking to the House, by shewing that the clause was totally inefficacious and absurd, and that it amounts to no more than this, that they undertake to ratify an order which the King may make, provided always that they like to do so when they see it. This is the new power given by this act to the Crown: this is the great effect of this mighty act.

If he had been to be asked, he said, before the right honourable gentleman last come into office, what act in a statesman or public man that the right honourable gentleman would have considered as the most weak, and indicating a mind least capable of any wide range of useful thought,

he should have answered, without any hesitation, the passing of an act of Parliament for the sake of passing it, where no useful and important effect was to be produced by it. And yet, he said, this very thing it was, that the necessities of the right honourable gentleman had driven him to do. For having been driven by the weight of the objection to it, to amend into nothing, the clause in the shape in which it was to have given the full power of legislating over the public purse on this subject to the King; having been obliged to abandon the operative part of his bill, he still adheres to the bill itself. And why? for this reason. To those who do not examine the matter closely, and who are contented with consulting only the titles of acts of Parliament, the right honourable gentleman will appear to have been doing something for Chelsea, and something towards making better provision for soldiers. And though he cannot avoid the fact of failure, he will, he said, in some degree disguise the appearance of it, he will have an act of Parliament in short to shew for his pains. Indeed, he said, it is in precise conformity with the other acts of the present administration, where little or no performance followed upon great promises. It is a precise counterpart to the operation of the chancellor of the exchequer with respect to the sugar tax. That tax made part of the ways and means of his budget, and was taken to produce 300,000*l.*; the remonstrances, however, against the injustice of this tax, as it was originally intended, were so strong and just, that the chancellor of the exchequer very properly gave way to them, and admitted such modifications of it, as necessarily annihilated all prospect or possibility of its producing any thing;—but still he would not give up his act; and therefore this compromise was come to between him and those who would have opposed it—they consented not to oppose the act, provided he would consent that it should produce nothing—and so it passed; and so it will remain, he said, an ornament to the statute book; and a happy instance, if not of productive, yet, he trusted, of harmless financial legislation. But indeed, he said, it was not only in single measures that this quality of the present administration was to be found; if he was to ascribe to it any one marked characteristic, more appropriate to it than another, he should say it was an administration of most splendid pretence, and most inadequate and contemptible performance—of performance not only unequal

unequal to its promises, but in most instances in direct contrast with them. This character, he said, was to be traced from the first original formation, and concoction of the heterogeneous mass, through all their measures down to the present bill. What, he said, was the profession with respect to the formation of their government: it was to be formed, he said, on a broad basis, to unite all the wisdom, all the virtue, of every division of parties: and how was this performed? The comprehension of all parties was illustrated by the total exclusion and proscription of every man who had happened to preserve his friendship, his political friendship and connexion, at least, with Mr. Pitt till his death. It might be contended, indeed, he said, that there remained no persons of abilities in that party, after the death of that great man, who were to be compared with the transcendant talents which adorned the opposite bench. But if that were so, still he could not but think that there were some amongst them, who, from the habits of office at least, had acquired some useful knowledge, some experience, some facilities in the detail of business, which he doubted not, if the present administration had condescended to think worth the attention of their superior wisdom, might have rescued them from the repeated disgraces to which their inability to do business, their total incompetency for all matters of detail, had daily, and was daily exposing them. He expected, he said, from the cheers of "hear him," from the opposite side of the House, that it was wished to ascribe this observation to some disappointment on his part, at not being honoured with a situation amongst this splendid assemblage of talents and of virtues. He was confident, however, that no man who heard him would so ascribe it. He did not, indeed, recollect ever to have professed in that House, what an honourable gentleman (Mr. Whitbread) had, as he understood, when he happened not to be present the other night, stated him to have professed—namely, that he would never form a part of such an administration; but undoubtedly, all that he had ever said on the loss of character, the disgrace, and the public mischief which he conceived to attach to the coalition of public men, with known differences on the great and leading principles of the existing politics of the day, that honourable gentleman had only done justice to him, in collecting from what he had so said, the sentiment which he stated him to have professed.

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It would indeed, he thought, have been presumption in him to have professed it; it would have implied an opinion in his own mind, that there was something in him which might have made it an object with the present ministers to have had him amongst them. But there were many certainly among Mr. Pitt's friends, to whom this did not apply, and whose exclusion and dismissal from office could hardly be ascribed to any thing but the principle of proscription on which the administration was formed. He next observed, that the first thing, from all the professions of the right honourable gentleman opposite to him (Mr. Fox), whether in this House, or out of it, which might have been expected to be found to mark the formation of any administration to which he was to belong, was a great regard to the true principles of liberty, the principles on which it was established, and by which it was to be secured. The way, however, in which those professions were acted upon was by violating, in the formation of their cabinet, one of the very first and most acknowledged principles of liberty and a free constitution, by uniting the judicial and executive power in one person; he alluded to the appointment of his noble and learned friend Lord Ellenborough, the chief justice of England, to a seat in the cabinet; and however the right honourable secretary of state (Mr. Fox) had on a former night referred with triumph to the event of the discussions on that subject, he begged to assure him, that he was much mistaken, if he supposed that the impressions made upon the public mind, the disadvantageous professions to the character of the sincerity of his attachment to the real principles of liberty, had not been slight in point of effect; and would not be transitory in point of duration. The next thing he said, which might have been expected, from all their former declamations against supposed abuse of power was this, that if they came into the possession of it, nothing would be so strongly marked, as the temperate moderation with which they would use it: the happy illustration of this temperance and moderation, he said, was to be found in their late conduct to the directors of the East India company;—an act, which, if report did not strongly calumniate them, could hardly be equalled by any former instance of the most immoderate exercise of power, or the most eager grasp at patronage. The next point on which all their professions raised the greatest ex-

pectations was that of regard to the true principles of economy. Of this, he said, the measure now before them was the happiest instance; for not only was a great expence incurred by it, but a great expence was incurred for the sake of trying a military experiment of the right honourable gentleman, which, on the loose estimate that we had had of it from themselves, was immediately to cost 330,000*l.* per ann.; but it was an experiment which had been shewn over and over again, he said, by an hon. general (Sir James Pulteney), and by others, might have been tried with equal effect, if it should succeed, and with infinitely less danger if it failed, actually for nothing at all. It was further illustrated, he said, by the manner in which the House was plunged into great part of this expence, without the least attempt on the part of government to help them to form an idea of its extent. And here, he remarked, that the indifference to the true principles of economy was, perhaps, more apparent in the manner of plunging the house into this expence, than even in the extent of the expence itself. For great expences the necessities of the country might undoubtedly, and did in many respects require; but no necessities of the country can require that the House of Commons should be called upon by ministers to engage for the discharge of great expence, without those ministers condescending to endeavour, in compliance with the strong calls made upon them within this House, to let the House know what they thought, on the best estimate, or the best conjecture at least which they could form, of the amount of that expence. But this was not all; their regard for the public money was further apparent from the grant of a great pension, as he understood, to a convicted Irish Judge, to purchase the resignation of his judicial office, which he should be considered as having forfeited by the offence which he had committed. That Judge had been prosecuted, he said, by himself, when attorney-general, and had been convicted of one of the grossest libels against the Irish government that could be published; a libel outrageous and intolerable, if published by any man, but how aggravated, when considered as the act of a Judge! but perhaps an offence against a former government, was merit in the eyes of this; and if he understood right, (and his learned friend the Attorney-General would contradict him if he was wrong) this convicted Judge was not to be brought up for punishment, but was to be rewarded with a consider-

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able pension. Other extravagant arrangements, he had understood, were likewise to take place; other resignations to be purchased upon terms equally in violation of every decent regard to economy; but as they were not yet finally closed, he should press them no further. Another instance of regard to economy, he said, was displayed in a measure, part of which was to be under the consideration of the House the next day; he meant the appointment of new commissioners for auditing the public accounts—their numbers were all at once to be encreased from eleven, the number now employed, including three new ones appointed by Mr. Pitt at the end of last year, to no less than nineteen; and he was convinced, he said, it would be seen, that this measure, to the extent of which it was proposed to be carried, was unnecessarily extravagant and expensive in the extreme: and he could not, he said, pass by this article of economy without observing, that it was not enough to say, such and such an application of the public money was no improper expence, was congenial to our feelings of generosity, and consistent with the character of a great and opulent nation; but, considering the necessary calls upon the public purse, no new ones should be admitted without proof not only of their propriety, but their necessity. For how, he said, did the House stand at this moment, with respect to the ways and means of the year? The 300,000*l.* from the sugar tax had failed, the 500,000*l.* which was first to be had on iron, and then upon private breweries, and now at last was to be fixed on the assessed taxes, was to be reduced 200,000*l.* By abatements and allowances, there remains then a deficiency at this day in the ways and means which the noble lord proposed to raise, as necessary for the year, of no less than 500,000*l.*; and when he represented those ways and means to be necessary, we had not then had opened to us the blessings of the right honourable gentleman's military plan. The additional money voted for the increased pay for the navy, the increased expence arising from these military plans, had occurred since; so that he did not think he was going beyond the truth, when he said that there was near one million of fresh ways and means now wanted by the noble lord, to make as ample a provision for the expences of the year as he intended to do when he opened his financial statement. One other instance of disappointing the expectations which might have been raised, he said he would mention, and that applied more particu-

larly to the right honourable secretary for the war department (Mr. Windham). When he came into office, he said, it might at least have been expected that there would have been no useless legislation, no tinkering of acts of parliament, no marks of the laborious effects of a blind Cyclops, in the framing of them; as the disappointment of this hope, he should content himself with referring to the miserable bill before them. These topics, he said, might be much enlarged upon, many similar ones might be mentioned, and others seemed to be opening upon them in the remaining business of the session; and he should indeed be happy to see, when the session was closed, a correct collection of these and similar instances, in which the consistency of the conduct of the administration with its professions might be seen: it might be stiled a Florilegium on the beauties of the present administration. He trusted, however, that from what he had mentioned—from shewing how the promise of a comprehensive principle in forming their administration was illustrated by the exclusive and prescriptive one on which it was formed; how their love of liberty, by uniting the judicial and the executive character in one; their moderation in the use of power by their conduct to the East India Company; their economy, by the new and unnecessary military expenditure; their pensions to convicted and retiring Judges; the unnecessary extent of their intended increase of commissioners for auditing the public accounts; and their abstinence from all useless and clumsy legislation; by the slovenliness and uselessness of this and others of their acts of parliament—he said he trusted from all this, he should appear to have done no more than justice to the administration, when he had styled them a government of most splendid pretence, and most inadequate and contemptible performance. Yet this, he said, was that all-wise administration which they had been promised; this was the administration, uniting all the talents and all the virtues of all parties, which was to shame all former administrations by contrasting its wisdom with their folly, its competency and energy with their inefficiency and weakness, its purity with their corruption, its economy with their profusion, its love of liberty and moderation of power with their unconstitutional and arbitrary abuse of it. This, he said, was the proof of those benefits from an united and comprehensive administration,

which so many well-meaning, but short-sighted men thought they could anticipate; it was for this that the consistency and character of public men was sacrificed and abandoned; it was for this the public was to look for a compensation for that distrust of the sincerity of the professions and principles of all public men, which such unprincipled coalitions necessarily produced. There was one advantage indeed, he said, that was derived from this broad-bottomed administration; they were not as yet sunk by the load and weight of the accumulated errors and absurdities of which they had been convicted, "a weight to sink a navy"—a weight which must long ere this have sunk any administration which did not derive an uncommon buoyancy from its broad-bottomed formation. He said he had been led regularly, nay necessarily, into the consideration of the general character of the administration on the discussion of this particular measure; because this measure proposed to give to his Majesty powers over the public purse, which could not be justified except upon the peculiar confidence which might be safely reposed in his present advisers. From this examination he trusted the House would see, that whatever their claims or pretensions might be to that confidence, they had no title to any at all. He said he should conclude with only one observation, which was to guard his argument from the charge of inconsistency, which had already been applied to that of his noble friend: don't let it be said, he added, that he contended in one sentence that this act of parliament would give the King extravagant power, and in the next that it gave him nothing; for he contended no such thing. What he contended was this: that if the act did any thing, that if the act could effectuate in any degree what it was intended to do, it did give such powers as that House ought not to consent to grant: but that if it did not give such powers (which he contended was the case), then it did nothing, was unnecessary, and ought to be rejected for its futility.

Mr. Fox, on the part of his Majesty's ministers, positively disclaimed any such sentiments, as expressed by any of them, in or out of that House, that they combined all the talents, all the virtue, and all the influence of the country. It certainly was their wish to combine as much of those properties as circumstances could admit, and it was not their fault, that some right honourable gentlemen, friends

friends of the late administration, were not connected with them. The honourable and learned gentleman had complained of versatility in his Majesty's ministers, because they had agreed to abandon some measures and to modify others, according to what they conceived to be the sense of Parliament and of the country: but he could not conceive that to be reprehensible in the conduct of ministers, or a conduct which should render them undeserving of the confidence of that Parliament or that country. If he were to look out for a set of ministers who, from their proud pertinacity and unaccommodating persistence in any measure, however obnoxious to parliament or the people, and disregard of the public confidence, would be the least likely to conciliate that confidence, he had nothing more to do than to glance at the benches opposite to him. The right honourable gentleman, as well as the noble lord, had congratulated himself that he was not included in the present disgraceful administration; perhaps his exclusion was not so much a subject of regret on their parts as he seemed inclined to imagine. But probably if ministers had the singular good fortune of his aid on this occasion, they might have had the advantage of those eminent legislative talents which he had displayed in the formation of his memorable volunteer bill; and the lucid constructions and counter-constructions he had afterwards found it necessary to give to those consummate specimens of accuracy, consistency, and clearness. However, if the learned gentleman and his colleagues possessed such talents as they were inclined to give themselves credit for, why did they abandon their places and confess that their abilities for carrying on the affairs of the nation had evaporated on the death of a late right honourable gentleman? Why abandon their posts in despondency and dismay, upon the death of that leader upon whom they were so prompt to acknowledge themselves the mere tools? At least, they might have tried a little longer their talents to conduct the public business, though it was probable their experiment would have been more short-lived and inefficient than the learned gentleman was inclined to think this bill would be. With respect to the India Company, the learned gentleman's conclusions were founded in the grossest misrepresentation and misconception; and with respect to the learned Judge in Ireland, to whom the right honourable gentleman

gentleman had alluded, whenever he thought proper to institute enquiry on that or any other subject of fair discussion, touching the conduct of his Majesty's ministers, he would find them ready to meet the investigation. But, unfortunately, there were some subjects, upon which the acrimony of some right honourable gentlemen outran their discretion, and every regard and feeling of decorum. Did the right honourable and learned gentleman recollect nothing about the judicial appointments, and the grants of pensions which took place in Ireland under that administration of which he formed a part? Would he condescend to ask the noble lord next him (Lord Castlereagh) a question on that point? Would his noble friend answer for him how Judge Johnson came to be a Judge? Would the noble lord condescend to say, whether there was or was not any Judge in Ireland who enjoyed his seat, or any other man who enjoyed his pension or his place, as the price of his vote upon the union? Would the noble lord answer this question? Did his right honourable deceased friend wish to institute any enquiry upon this subject?—Mr. Fox asked several other questions, but his voice was drowned in the loud and repeated vociferations of HEAR! HEAR!—He continued. Perhaps it would be more creditable to the right honourable and learned gentleman's discretion to consult a little the ease of his friends' feelings, before he ventured to put questions likely to terminate so little to their peace of mind. With respect to the bill, Mr. Fox said, that administration might not perhaps be very long-lived; but he hoped that gentlemen would give them till next session to exist. It was intended that his Majesty should be soon advised to follow up this measure with the declaration of what was his royal wish; and if the bill should pass the Lords in its present form, next session an application would be made to Parliament for its sanction to the completion of the system.

Mr. Canning said, that though he had no right to complain that the right hon. secretary had followed his honourable and learned friend (Mr. Perceval) into the more general topics of his speech; yet of his total neglect and omission of those parts which more immediately affected the bill before the House, he thought he and the House had a right to complain; for, surely, it was high time that some one at least of his Majesty's ministers should now at length upon this last opportunity, afford some light as

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to their own sense and meaning in the measure under discussion; and if they could not (which they probably could not) contend that it was framed to answer any useful purpose, should at least condescend to explain what purpose they themselves had in view. All this however the right honourable secretary had thought himself at liberty to pass over, and to leave the question altogether in the same obscurity in which it had been left by its original mover (Mr. Windham).

The right honourable secretary attempted to justify his unwillingness to enter into the discussion, by reproaching gentlemen on this side of the House for not having urged their objections at an earlier stage of the bill, either entirely forgetting, or wilfully overlooking the circumstance, that at any other earlier stage it was utterly impossible to discuss it with any prospect of utility; for never till the present stage was the bill in a shape at all intelligible. It was brought in, as the House would remember, as a companion to the mutiny act, and a sort of commentary on a new clause in that act, by which the whole constitution of the army was changed. This change the House had been always told to consider not by itself, but as coupled with the provisions and regulations of the Chelsea bill. The provisions and regulations were then in blank only; but there was at least the promise which the blanks to be filled up afforded, that something was to be provided, that something was to be enacted by way of regulation, of which Parliament was to have cognizance, and upon which it was freely to exercise its judgment. Of course there was no possibility of exercising that judgment till the precise nature of these provisions was known: and this could only be learnt in the committee, where the blanks were to become speaking and substantive clauses.

To the committee, therefore, the bill went without any opposition; PRO FORMA, as the right honourable gentleman (Mr. Windham) assured them, that is as he understood it, in order to be made perfect and intelligible in its then existing shape. But in the committee, the amendments, so far from being formal, turned out to be no less than a total alteration of the whole bill—an alteration so total and radical, that upon comparing the bill as it came out of the committee with that which was referred there, it was hardly possible to trace a resemblance between them! He really had thought when this new bill was put into his hands, that

that the person who gave it him must have made some gross mistake; and as he understood that there was a committee sitting up stairs upon a bill for regulating the Chelsea water-works bill, that by the error of the name Chelsea, the water-works must have been imposed upon the right hon. gentleman instead of his own, and that all his own clauses might be now in the hands of the waterworks committee.

The right honourable gentleman, however, seemed contented to adopt the present bill; so there could be no such mistake about it. He was then reduced to the necessity of believing that the right honourable gentleman had, by the use of his own reflection, become so convinced of the absurdity of his bill, as originally brought in, that finding no opposition made from this side of the House, he had gone into the committee and opposed it there himself, and shewing the folly of all his own provisions, had been able to persuade the committee to strike them out.

But this was a little hard upon the House. They were induced to vote the clause in the mutiny act, under a promise that the Chelsea bill should contain the specific regulations by which the principle of that clause should operate. So long as the mutiny bill was under discussion, the phantom of a bill full of regulations was danced before their eyes, and they were led on by the expectation of see it assume a perfect and substantive existence. But no sooner is the mutiny act passed, than this delusion is withdrawn; and instead of specific regulations or provisions, the House is presented with a bill, which is in fact one great blank, or what is worse still, one undiscriminating enactment of unbounded confidence in his Majesty's ministers. And in the mean time, by this mode of proceeding, discussion is made impossible, until the House have arrived at this last stage; and in this stage all explanation is denied.

The bill, he has said, contained but one enactment; and even of that enactment the meaning was so equivocal, that while ministers denied that which his learned friend (Mr. Perceval) affixed to it, they refused to give any construction of their own. This was the point to which he hoped and trusted the right honourable gentleman who spoke last would have addressed himself. He trusted that he would have thought it decent and respectful to the House, to remove an ambiguity so perplexing and inconvenient; and if he could not satisfy the House that either of the alternatives in which the words might be understood, were such

as the House ought to sanction, that he would at least have told them wh ch of the two of his Majesty's minis'ers had in their contemplation.

The bill promised on the part of the House of Commons that they will make good the expence of whatever regulations his Majesty may think proper to establish. Taken by itself, it was obvious that this engagement went to pledge the House of Commons to an unlimited extent, and to put the public purse wholly at the disposal of his Majesty's ministers. But to cure this construction, a notable expedient was resorted to. A proviso was added to the promise to this effect, "if parliament shall have sanctioned the same." How was this? If it was an effectual guard, it totally destroyed the efficacy of the engagement; for to promise to pay, if at the time when payment is demanded you shall think fit to pay, but not else, was equivalent to no promise at all. What was the object of any such previous engagement? The right honourable gentleman, (Mr. Windham) had said—"Security to the soldier."—Well then; what was the nature of that security? If the engagement on the part of Parliament was clear and unconditional, certainly the security was ample and unquestionable. Parliament engaged to make good whatever the executive government might promise. Certainly this was ample security to give to the soldier—but was it such as it was becoming to ask of parliament? On the other hand, if the engagement was not unconditional, if by the proviso annexed to it, it was intended that the House of Commons should retain a full and free discussion to be exercised hereafter, whenever the particulars of the expence incurred came before them, then where was the additional security to the soldier? By how much more was he secure of the regulations in his favour being made good, by a pledge so vague and unmeaning as this, that Parliament would make them good, if they should so think fit?

In which of these two senses then he asked, did his Majesty's ministers mean to have their bill understood? Was it an unconditional pledge, fettering the future discretion of the House of Commons, or was it a conditional promise, liable to be fulfilled or not, according to future circumstances, and instead therefore of being a security, a mere trick and delusion upon the soldier?—Neither of these senses were distinctly expressed by the bill, as it now stood; either of them might with equal fairness be at-

tributed to it. Was it too much to require of his Majesty's present ministers, or any one of those who stood at the head of the government, that they should have the goodness and condescension, not to argue against such feeble and unworthy opponents, and to prove their own intentions to be right—that would be too much to expect from them—but merely to let the House of Commons know what it was that they commanded them to enact—in what sense their bill was to be understood—in what sense, if in any, they, in their great wisdom, understood it themselves?

But instead of giving us that reasonable satisfaction, the right honourable gentleman rebuked those who required it at their hands, and charged them with the grossest inconsistency and contradiction in their arguments; "because, say they, your first objection to this plan was that it invaded the prerogative of the Crown; and now you are all alive for the privileges of the House of Commons!" Supposing this were so, where was the contradiction and inconsistency? Was it a recommendation to any plan that it commits two faults instead of one? Was it an atonement and mitigation? Was it not rather an aggravation of its faultiness, that having set out with invading the natural province of the Crown, it concludes with assigning over to the Crown what is the natural province of the House of Commons? Was it inconsistent in those who detected and exposed the first of these faults, to apply themselves with equal readiness to the conviction of the other, when brought under their view? It had been complained of, and with great truth, (and the complaint had been supported by argument, which, if ill-founded, ought to have been refuted, but which remained uncontradicted to this hour) that by taking into the hands of the House the detailed regulation of the military economy of the army, you invaded the province of the Crown, and that to the extinction of which the Crown alone was competent. It was now complained of with equal justice, that in executing that part of your system, to which the House of Commons was competent, and which it was its peculiar right and duty to administer the pecuniary part, you, by the bill now before the House, wholly exclude the House of Commons from any cognizance of the matter, and delegate the power of the purse, with an uncontrouled discretion, to the Crown. The Crown was to make the distribution, to settle the amount, and the House of Commons had

nothing to do but to find the means of meeting the expence.

But no, said the right honourable gentleman, the time will come when the House of Commons will have the whole subject before them, when the regulations themselves will be before them. Then, why not wait till then, before they pass any bill upon the subject? O! but it was necessary to have something to hold out to the soldier; some pledge on the part of Parliament. So it was a pledge, then! and if a pledge, that must be fulfilled—what became of the discretion of the House of Commons? The dilemma was inextricable—and the right honourable gentleman had not even made one effort to escape from it.

But, after all, why were not the regulations ready to be laid before Parliament now? Was it possible that the right honourable gentleman (Mr. Windham) who certainly had given his undivided attention to this plan; for nothing else of any sort or kind he had done, or appeared to think he had to do; was it possible that after so many years consideration out of office, so much mature reflection in office before he brought forward his plan at all—that after that plan had now been two months announced to the House as perfected in all its parts, he was not now ready to bring forward the regulations, which after all were the vital part of his whole system? It could not be. He had them ready: for he had framed the bill originally with clauses to detail them; and precious clauses they were; particularly those which were to give his Majesty, in compensation to be sure for those parts of his royal prerogative which were taken away from him, a prerogative which he never dreamt of exercising, an unlimited power over the almanack. Days were to be weeks; weeks, months; and months, years, at his command; two years were to be one, and one year was to be two. Such clauses there were; but what was become of them? Has the right honourable gentleman altered his own mind about them in the short time that has elapsed since he brought them in? And was he prepared to urge that whimsical variety and instability of judgment, that perpetual fluctuation of counsel, as a ground for the House of Commons giving unbounded credit and confidence to what he might produce hereafter? The whole of the argument, if argument it might be called, of the right honourable gentleman resolved itself simply into a claim of confidence on the part of administration.

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The House were to vote this bill, they were to take the pledge contained in it, in perfect confidence that the ministers would exact nothing from them in consequence of that pledge, but what the House must approve, when it should come to be submitted to their consideration. And the right honourable gentleman who spoke last seemed to take it very ill that this confidence was withheld, and the propriety of giving it questioned, by persons who, as he said, at the outset of the present government had professed a desire to support them.

For my own part, said Mr. Canning, I have no pledge or promise of that sort to account for: I have nothing to retract, or qualify, or explain. I never offered any general professions of support. I never thought myself called upon to do so. I have given my opinion freely, as a member of parliament, on the measures of the government, as they have been brought forward: and sorry have I been to find, that scarcely one of the measures which have originated with them has been such as I did not feel myself bound to oppose. And I quite concur in the opinion expressed by my noble and learned friends (Lord Castlereagh and Mr. Perceval) as to the general character both of the system of the present ministers, and of the manner in which it has been carried into effect, and in which public business has been conducted in this House, since this great administration came into office—that nothing can form a more ludicrous contrast than their promises and their performance. Of one noble person indeed, in the other House of Parliament (Lord Grenville), who forms a part of the administration, I have once before had occasion to speak. Perhaps it is to that occasion the right honourable gentleman alluded. I did once say (it was early in the session, and before the measures and system of the government had been developed) that I was desirous of placing confidence in an administration of which he was the head. My personal confidence, my personal esteem and regard for that noble person, continue unimpaired:—but to talk of him now at the head of the government; after all that we have heard, all that we have seen, to consider him as the presiding and directing mind, is impossible. I am sorry for it. But I admit no claim for confidence arising from an expression which was applied to an individual, and which was founded on an error as to his weight and situation in the

the government. In his colleagues I neither have, nor ever professed to have, the confidence which they now demand; and by my vote of this night I shall certainly refuse to give it to them.

The Attorney General spoke in support of the bill, and said it was one that ought to be considered, not as distinct from, but *pari passu* with the mutiny bill; and that the provisions of both stood equally pledged upon the faith of Parliament and the discretion of his Majesty.

Mr. Rose considered this the only explanation given as yet. He complained of the enormous and unnecessary expence in which this measure would involve the country, and concluded by expressing his conviction that a noble lord, whom he had hitherto been taught to consider as the head of his Majesty's councils (Lord Grenville) had no hand whatever in concerting these measures. He had always heard that noble lord alluded to by his Majesty's present ministers of this House, as at the head of his Majesty's present government; but he now found there really was no ostensible minister in that department but the right honourable gentleman (Mr. Fox). For the noble lord (Grenville) and his consummate talents and high character, his own esteem never sustained the smallest abatement; but as to his colleagues, he was quite sure that the whole history of Parliament never presented such a period of ministerial imbecillity, inefficiency, and confusion, as since his Majesty's present administration was found.

Lord Temple rose with much warmth, and expressed his utter indifference as to what opinion the right honourable gentleman or his friends might form of the talents of himself, or those with whom he had the honour to act; but he could now assure that right honourable gentleman, that he spoke the language and sentiments of his noble relation (Lord Grenville), when he stated that he thanked no man for compliments paid to him at the expence of his colleagues.

After a few words from Dr. Laurence, in support of the bill, the House divided

Ayes - - -	65
Noes - - -	30
Majority for the bill	—35

The bill was then read a third time, passed, and ordered to the Lords. Adjourned.

HOUSE

HOUSE OF LORDS.

FRIDAY, JUNE 13.

In the appeal Seymour v. the Earl of Euston and Lord Henry Seymour, Mr. Richards was heard for the respondents, after which the further consideration of it was postponed till the next day.

The royal assent was given by commission to the property tax bill, the Irish sugar bill, the Irish stamp duties bill, the Irish additional force repeal bill, and several private bills.

The commissioners were the Lord Chancellor, Lord Walsingham, and Lord Auckland.

Lord Henry Petty, and several other members of the House of Commons, brought up a message, stating that the House of Commons requested a conference with their Lordships, on a subject in which the reputation of the country, and the interests of justice and sound policy, were deeply concerned.

The House agreed to a conference presently in the Painted Chamber, of which the messengers from the Commons being called in, were informed. A committee was appointed to manage the conference.

Mr. Alexander, Mr. Chewte, Mr. Byng, Mr. Graham, Mr. Joddrell, Sir Martin Fowkes, and several other members of the House of Commons, brought up the Chelsea allowance bill, the Irish malt duty bill, and several private bills.

The House being informed that the Commons waited the conference in the Painted Chamber, the committee appointed to manage it, consisting of the Duke of Norfolk, Earls of Radnor and Romney, Lord Viscount Falmouth, the Bishop of St. Asaph, Lords Holland, Keith, Dundas, Ellenborough and Lauderdale, went forth to the Painted Chamber. Shortly afterwards they returned; when the Duke of Norfolk reported that the Commons had communicated to them a certain resolution (the resolution adopted by the House of Commons relative to the abolition of the slave trade, on the motion of Mr. Fox, on the preceding Tuesday).

The Earl of Aboyne presented several petitions from Peers of Scotland, stating the vacancy which they conceived to have been caused in the representative peerage of that country, in consequence of the Earl of Eglintoun, one

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of the sixteen representative peers of Scotland in the present parliament, having been created a peer of the united kingdom of Great Britain and Ireland, and praying such relief therein as to the House should seem meet.

Ordered to lie on the table.

MUTINY BILL.

The House resolved itself into a committee on the mutiny Bill; Lord Walsingham in the Chair.

A short conversation took place between the Earl of Westmorland, Earl Spencer, and Lord Hawkesbury, as to the mode of proceeding. It was at length agreed to read the bill short until they came to the schedule containing the new form of oath, to which it was intended to object.

The *Earl of Westmorland*, on this part of the bill delivered his opinion at some length. He contended that it was an invasion of the King's prerogative, inasmuch as it prescribed the exact term for which men should be enlisted to serve in the army, and precluded his majesty from enlisting men upon any other condition. This was an abridgment of the power and an infringement of the prerogative of the Crown, in taking from the King that power over the army which had hitherto been constitutionally vested in the Crown —a measure too, which went to change the whole constitution of the army, was introduced in the shape of a clause in the mutiny bill, thus leaving that House no choice but between the dangerous nature of the experiment attempted to be tried, and the inconveniences which would result from from the disorganization of the army in consequence of not passing the mutiny bill. Thus also would his Majesty be called upon to sacrifice a material portion of his power and his prerogative, besause it would be said that the mutiny bill must be passed or else the army could not be kept together. Those who on a former occasion advised his Majesty not to give his assent to a bill which went to abridge the King's prerogative, but the refusal to sanction which only left things as they were, could not now say that no other consequence would result than leaving things as they were; they might say, your ministers have made a bill different to that which your Majesty ordered to be brought in, but a mutiny bill must be sanctioned or the army cannot exist.

Earl Spencer spoke to order. The noble earl had, he said,

said, no right to state, that his Majesty had ordered the bill to be brought in.

The Earl of Westmorland proceeded. The present measure was, he said, of the same character with those before proposed by an administration, in which it was said so much of the talent and ability of the country was concentrated. All their measures were *ex pede Hercules*, but it was Hercules with his club, acting the part of a destroyer, and not as a renovator; former measures were done away and destroyed, but where were the substitutes? He professed the highest respect for the noble lord at the head of his Majesty's affairs, for his ability, his integrity, and his anxious desire to serve his country. For the head of the administration he had the highest respect, but he did not like the stern of it; he did not like the principles of the stern; he feared their operation. With respect to the measure which was more immediately the subject of deliberation in the Committee, wonderful effects it had been predicted, would be produced by its operation. It had been said in other places, that the condition of the army would be improved, its strength increased, that bounties would decrease, and desertions be diminished. He did not believe that any such benefits would result from the measure. How was it possible, that under the proposed regulations relative to limited service, the army could be kept up? Taking the whole number of the army at two hundred thousand men, enlisted for limited service, as proposed, at the end of seven years, and every year afterwards a seventh part of that number must be discharged, amounting to about 28,000 men; this added to the waste of men in the course of a year, amounting to about 12,000, would make up the number of 40,000 men to be recruited every year, and how was it possible to raise such a number of men in this country in the course of one year? He was thoroughly convinced that the army could not be kept up in that manner without having recourse to a military conscription, or some compulsory measure of that description. Such a measure as that now proposed, would, besides, give rise to a system of continual recruiting, drunkenness, and canvas, for the purpose of inducing men whose terms were near expiring to enlist again. He begged pardon for trespassing so long upon the Committee, and preventing the noble Master General of the Ordnance from rising, who he was sure would oppose this measure, and would tell their lordships that by

the effect of this measure the artillery would be destroyed, who would tell them that men in that corps, from the experience they gained in the course of seven years of service, became expert engineers, and were capable of obtaining great emolument in various ways, and who would not therefore stay a moment longer than the expiration of the first term of service. That noble lord would therefore doubtless tell the Committee that under the operation of such a measure the artillery could not be kept up. What likewise would be the effect upon our colonial service? Was he to understand that in the West Indies, after giving 70*l.* or 80*l.* for slaves to form black regiments, that those persons, after their term of service had expired were to be thrown loose upon society, and under the measure now proposed, his Majesty would not have the power to retain them? How also would it affect our troops sent out to our colonies? It would be impossible for the commanders to ascertain with any precision the number of men it would be necessary continually to replace; they might send for a number of men instead of those whose terms were near expiring, whilst in the mean time those whose terms of service were longer, might be carried off by disease. The regiments also, whose terms of service were near expiring, would hesitate to go to a distant clime on any emergency. Another objection also arose from the effect which such a measure would have upon the army as already constituted. Men whose services were for life could scarcely see without jealousy others by their side whose terms of service were continually expiring, and who were thus enabled to return to their families. These objections pressed forcibly on his mind, and operated directly against this measure, which had been rejected after mature deliberation by his right honourable friend deceased, who who was then at the head of administration; and he trusted the modern Alexanders would pay some respect to the plans of Philip. He concluded by moving to leave out all the words of the oath which contained the limitation of service.

Earl Spencer wished to state shortly to their lordships the reasons which induced him to support the proposed plan of limited service. He thought, in reasoning upon this subject, that it was impossible to draw any other conclusion, than that men would be much more readily induced to enlist into the army for seven or for ten years,

years, with the prospect of being enabled to return to their families at the expiration of that period, crowned with laurels, and enjoying those benefits which this measure held out to them, than to enlist for life, and of course without any such prospect. It was a necessary conclusion drawn from experience and observation of human nature. The relations and friends of those inclined to enlist would besides rather encourage, or at least not throw obstacles in the way of such an inclination as they were disposed to do under the present system, where the man was taken from them for life. The operation of this principle would, he thought, continue to fill the ranks of the army in succession, as the terms of service of others expired, and would induce many of a better class to enlist where there was a certainty of their being enabled to return to the bosom of their families, or resort to other occupations, at the expiration of a certain fixed period. The noble lord had argued as if it would become impossible, if the present measure was carried into effect, to have men for a longer period of service; but surely there was in this case no obstacle, the man enlisted for the first term of service might again enlist for the next term, and continue to engage himself for the remainder of his life. The noble lord, in the beginning of his speech, had argued, that this measure was an invasion of the King's prerogative. It was certainly true that the power of the sword, as it was called, rested with the King; but it unquestionably belonged to Parliament to limit that power. There were acts of Parliament on the statute book which actually prescribed the exact term for which certain troops therein mentioned should be raised, and beyond which there was no power to retain them. This was the case in two acts—one of the 18th George II. and the other the 29th George II. in the latter of which a certain force was to be raised for five years; and it was remarkable that the year in which this was done (1757) was the first year of the seven-years war, and that the five years consequently expired before the termination of that war, yet no reference was made to that circumstance. Many other acts might be quoted, most of which was in their lordships' recollection, and therefore he would not state them, the object of which was to raise troops for limited service. It had therefore clearly been the practice of Parliament to limit, in this respect, the prerogative of the Crown, and nothing more

was attempted in the principle of this measure than what had been done before by Parliament upon various occasions. He was clearly of of opinion that this measure would operate to decrease the bounties and diminish desertion. Men would be induced to enlist for a certain and fixed term, and that not a long one, for a much less sum than when the enlistment was for life; and as to desertion there would certainly be less temptation to desert when the soldier was sure of returning to his family at the expiration of that period; and when, besides that, in case of desertion, he would lose all the benefits which otherwise would attach, if he conducted himself well during his period of service. As to expence he did not think there was any objection, as he had no idea that the expence of raising men in the manner proposed could be nearly so great as the mode of raising them at present followed, whilst at the same time there was every reason to believe that the vacancies occasioned by the expiration of the terms of service would be easily filled up from the operation of those principles in the minds of men which were always operative, and which would meet with a stimulus from the effect of the measure now proposed. As to the noble lord's observations upon his Majesty's ministers, he should merely say, that he contributed his humble abilities to the service of his country, in conjunction with those with whom he had the honour to act, and whom, he was confident, were only actuated by an anxious zeal to promote the welfare and happiness of their country.

Lord Boringdon thought the measure ought rather to have originated as a boon from his Majesty, in which case it might have been first tried upon a small scale, than to be at once extended to the whole constitution of the army. The measure also appeared to him defective, inasmuch as there was no provision made for those who, by being disbanded at the conclusion of a war, were precluded from serving the whole of their term of service; and he thought it was a little too much to say that they were to pass this measure, and leave it to ministers to bring other measures forward afterwards to correct its defects.

The Earl of Carnarvon. It is with no small surprize that I have heard the singular arguments which have been used this night against the measure under discussion: it was indeed very difficult (however convenient it might have been to noble lords on the other side) to suppose any prerogative infringed in the mutiny bill, much less any, which

the noble lords themselves have not, within these two short years, repeatedly intringed, if any branch of the prerogative could suffer by this measure. The objection indeed is so singular, that it requires very little reflection not to observe, that nothing can be done herein but by the King's consent; to avoid these objections it required a curious construction of their argument: accordingly the noble lord in the blue ribbon has defined this supposed breach of prerogative, to consist in locking up men by a limited service, whom the King might by his prerogative, in time of war, engage for an unlimited service. The militia augmentation, the army of reserve, the additional force acts, all of their own manufacture, and equally for limited service, locked up men from this supposed exercise of royal prerogative, and, indeed, unless they suppose the power of withholding the mutiny act to be unconstitutional, and (if exercised) to be a violation of the prerogative, it is impossible to suppose such violation to arise from any practice of the mutiny bill. The frame of our happy constitution is not so soon disordered in this important branch. Parliament cannot form an army which the King must not, by his prerogative, command; the King has, and always had (except in the time of civil commotion) the undisputed right to command the whole military force of the nation, by whatever mode raised, for whatever time serving, to officer such force at his pleasure, and to employ it as his wisdom shall direct. It is obvious to the shallowest reasoner, that if the constitution had not placed this important prerogative in the hands of the King, his sceptre would be at the mercy of him who should hold the sword; but it is equally obvious, that if the power of raising and modelling an army, of supplying its payment, and the annual temporary source of its discipline, (without which it could not exist), was solely rested in the same hands, or under any controul but that of Parliament, the rights and liberties of the people would be without security. The wisdom of man has never framed a more perfect system for upholding the power and dignity of the Crown and supporting the liberty and comforts of the people. The statute 25th Ed. 3. ch. 8. states in the earliest period the power of the King to raise an army. This short statute says only that the King can have no army but by his tenures, and by the assent and grant made in Parliament; the military tenures are done away by the twelfth of Charles the Second, and there remains

remains no possible army but by consent of Parliament. This statute of Edward the Third, and the bill of rights, limit no power of the Crown which is consistent with the safety of the people, and give no power to the people dangerous to the Crown. It is most mischievous to attempt to raise a jealousy (if it were possible) on this ground, on which the power of the Crown, and the confidence and security of the people, have flourished with encreasing vigour for above a century. This well-balanced power has enabled the people to look up to the Crown for protection with love and affection untainted with fear and jealousy. The national force thus constituted cannot be used against the Crown, or the liberties of the people, but it may be exerted with undiminished vigour and energy against the common enemy of both. The noble lord on the other side says that the desertion, in consequence of limited service, will greatly encrease, for he lays it down as an incontrovertible maxim, that the more frequent recurrence of small bounties, after short limitations of service, must be irresistible, and repeated temptations to desertion; the very reverse of this is obviously true; the encreased magnitude of bounty is an unquestionable proof of the encreased disinclination to the service, which is to be surmounted; the desertion must bear an equal proportion to the disinclination measured by the bounties; if the service had no end but with life, nothing but desertion (in the soldier's power) can shorten it, and it is indifferent whether he is tempted by relief from endless hardship, or the prospect of acquiring new bounty by re-enlistment; it is impossible that either of these motives for desertion can operate so strongly in limited as in unlimited service; the supposition is, that the limited soldier deserts for the purpose of re-enlisting and obtaining the bounty, but he gets less for a limited time than the soldier for life can get—he will not therefore have so much temptation to desert, and if he will wait a short time he will receive without risk that bounty which the soldier for life will never get, without desertion and its risks. Another point has likewise been fallaciously urged; the noble lords have taken it for granted, that the termination for limited service, (if admitted) should have been on the conclusion of a war, and that this point was self-evident; to my mind, the reverse is clearly demonstrable: this term, the end of the war, would accumulate all the broken periods, and the whole army would expire with the war; peace would

would disband at one moment all our forces, and leave us pacified foes not yet turned friends, to whom we should, with the confidence of ideots, expose our unarmed side. I approve of the period fixed to the limitation by this bill, namely, seven years, which may be extended for three years, there is no fixed period from seven to ten; it gives ample scope to counteract the evils which must arise from the dissolution of the army at any given moment.

The Duke of Montrose complained of the introduction of so important a measure in the shape of a clause in the mutiny bill, a measure which, he contended, ought to have been discussed substantially, and after having received the opinions of military officers upon the subject.

The Duke of Gloucestsr warmly supported the measure. Many officers of eminence and reputation with whom he had conversed, in those countries in which he had travelled, had given their opinion decidedly in favour of limited service, which they considered as productive of the most beneficial consequences to an army. He was also decidedly of the same opinion, and he considered such a mode of enlistment as peculiarly congenial to this country, where freedom was the birth-right of its inhabitants, where the love of freedom animated them in all their contests, and inspirited all their exertions. Nothing was more clearly convincing to his mind than that enlistment for a fixed term of years, as proposed in the present measure, would operate as a strong inducement to many who would not otherwise venture to enlist; and when they returned to their homes, and related the battles in which they had been engaged, the glories which had been achieved, the laurels they had won, and the benefits they had received, it would be a still stronger inducement for their younger relatives to enter into a service where they had the same prospects of honour and reward, and returning in the same manner to their families. If only ten men in a regiment returned in this way to their families, the benefit to the army produced by this means would be incalculable.

Earl Grosvenor said, that the plans hitherto tried had failed effectually to recruit the army. It was therefore necessary to resort to some new means of effecting that desirable object, and upon this principle he supported the present measure, which seemed to promise fair the accomplishment of a purpose so much wished for.

Earl Camden opposed the bill; as did also

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The Earl of Limerick. He contended, that our colonial service was peculiarly incompatible with limited service, since before the soldier became seasoned to the climate, he might become entitled to his discharge: and thus our colonies might be perpetually supplied with raw soldiers, to whom the climate was peculiarly fatal. From his own experience he had found, that were a higher description of persons to enter the army, it would not contribute to its subordination and discipline. He had found, that those who could read and write were often the most troublesome, and most inclined to faction. Besides, it was not to be supposed that those who had enjoyed the comforts of life would readily submit, without murmuring and discontent, to those privations to which the soldier must necessarily be exposed.

Lord King observed, that it was not wished to introduce a higher class of men into the army, but only the more considerate and reflecting of that class, who now entered it as soldiers. This would add both to the numbers and discipline of the army.

The Earl of Hardwicke stated, that during the lord-lieutenantcy of the Marquis Cornwallis in Ireland, he made the experiment of enlisting for a limited period, but it did not by any means equal the expectations of those who had advised the trial even as a temporary expedient.

The Earl of Buckinghamshire observed, that some noble lords seemed to imagine that the interference of Parliament in the enlisting of soldiers was an encroachment on the prerogative of the Crown. Did thist trench more on the royal prerogative, he would ask their lordships, than the annual mutiny bill in time of peace did on the popular right?

The Earl of Rosslyn thought, that the only way of rendering unnecessary the present high bounties, and of removing the odium under which the military life so generally laboured, was by ameliorating the condition of the soldier, and this the present clause was eminently calculated to promote. High bounties were one great cause of the desertions which had so much prevailed of late, and if the cause were removed, which could only be done by some measure similar to the present, the effect would cease of course. At present, nothing but the event of his being disabled could give the soldier the hope of retirement; and it was not to be expected that considerate men, or indeed

any

any but the thoughtless, or those driven by necessity, would prefer being tied up for life, to limited service. As to canvassing between the officer and soldier, he was confident that British officers would never degrade themselves by permitting any relaxation of discipline, to induce their men to continue in the service. They were convinced that the attachment of the soldier could only be gained by fair and liberal conduct, and by the strict and impartial exercise of discipline.

Lord Hawkesbury declared, that notwithstanding all he had heard from the noble earl who had spoken last, and the other noble lords who preceded him, (and the opinions of some of them he knew were entitled to considerable weight) notwithstanding all the arguments which he had heard so ably advanced, in support of the system which was to be founded on a clause in the bill now before their lordships, he had not heard reasons stated, which were capable of effacing from his mind the impression which it had previously received, namely, that this was, in its very essence, a most dangerous, and might possibly be in its consequences, an almost ruinous system. Artillery, cavalry, and infantry, foreigners and native subjects, White men and Blacks were all to be disbanded at the expiration of the term of seven years. He was well aware that it was utterly impossible that any thing like a general discharge could take place at any given time; but then it was within the line of probability that great numbers would have completed their term of service nearly at the same time, and must necessarily be discharged just at the eve of the breaking out of a war. This would be such a case as would most seriously affect the interest (though he would always place the utmost confidence in the loyalty and bravery) of the nation, yet it was possible that the occurrence of such an event might endanger the safety of the country. It was wise and politic for statesmen to be guarded at all times against even a distant possibility of such danger, and he conceived it to be unwise and impolitic in ministers to make such an innovation on our military system as this was, during a period of war. The manner he thought peculiarly liable to censure, as by the system being introduced in the form of a clause in the mutiny bill, which was within ten days of expiring. Their lordships must either agree to this plan, or subject themselves to the painful feeling that

they had left the state without a mutiny bill at a period of war.

Lord Holland observed, that after the able and elegant speech which had been made in favour of the measure by the illustrious person whom he had in his eye (the Duke of Gloucester), a speech which must have made an indelible impression on the minds of all who heard it, he was surprised that the noble lords on the other side should have persisted in their objections. He then adverted to the necessity of increasing our army, in opposition to a noble lord who had said that our disposable force was already great enough. In order to attain this object we must now have recourse to a measure simple in itself, but likely to be most powerful in its effects, after all the *nostrums* which had been tried and had failed. This country ought to have more than its money to depend upon in order to secure it from danger, and to maintain its respectability. The effects of subsidies had already been seen. It had been said that this country was now in the zenith of its glory. It might be so, perhaps, for it was one of the effects of a burning sun to have no shadow, and certainly our sun had lately left no shadow of glory to those upon whom it had lately shone. A noble lord had compared our volunteers, for whom he certainly had the greatest respect, to the Macedonian's phalanx. The comparison was not a happy one, but we had undoubtedly lately followed the system of Philip, and depended more on our gold than on the force of our arms. There was this difference, however, that his gold led to victory, ours to defeat. He denied that this was any infringement of the prerogative, which no one could be more anxious to defend than he would be, because he thought that its security was necessary for the safety of the liberties of the people. It had been said by some noble lords, that the present ministers had got into the Elysium, for which they had long been anxious, and that they could not conduct themselves with moderation. The noble lords on the other side were in the seats of sorrow and suffering; but they were not, it appeared, without some consolation, for one of them had hinted a sort of hope that ministers might do something which would restore him to his fields again. When his friends therefore should be disposed to solicit his favour, he might, perhaps, console them as *Falstaff* did *Justice Shallow*, when in great anxiety about his thousand pounds—"Trust me, *Master Shallow*, I

shall be sent for anon." But as those who were in Elysium were said to be employed in the same pursuits which engaged their attention while alive, so ministers followed the same course which they had recommended when their recommendation had not such a good chance of being attended to. He defended the measure on the grounds of its humanity, as it would almost remove the temptation to desertion, and the punishments consequent upon it. It would improve the character of the army, and spread a great number of veterans over the country, who would be of the greatest service in case of its being the seat of war. It was not a mere speculative theory, for the thing had been tried and found effectual in other countries. As to the colonial service, he mentioned that in the Spanish army, those only who enlisted for a limited period were sent to the colonies. He concluded by expressing his conviction that this measure would produce the most essential advantages.

Earl Moira, in allusion to what had fallen from a noble earl (Westmoreland) early in the debate, begged to express his thanks to the noble earl for the speech had been so good as to make for him, as expressive of the terrors he was supposed to feel for the ruin of the artillery corps from this measure. He really did not recollect that he had ever entertained any such sentiments, and he trusted noble lords would do him the justice to believe the language was not his. He really had no such terrors; and so far was he from having cause to feel such apprehensions, that he was convinced nothing would be a greater punishment to an artillery-man, than to dismiss him from the service, and deprive him of the many advantageous prospects of preferment in his view. The boys now enlisted for the artillery service, were turned over to the battalions as they attained proper size, and were of course enlisted for life. The term of twelve years limitation could only operate on those who enlisted hereafter, and could have no effect for twelve years to come; and with respect to the general term of limited enlistment, he would read a letter to their lordships from experienced and practical, not from speculative authority, from a general officer now in our service, but formerly, and for twenty years, in the service of the nation in Europe most analogous to our own, namely, that of Holland. This letter stated, that during twenty years of that officer's service, there were seventy-two battalions of the Dutch army, serving both at home and in their distant

colonies, in which it was the uniform practice to enlist the men for limited periods of three, six, and nine years, without any other stipulations than that their discharges should only be demanded in the month of October, or at the end of a campaign, consequently during a war; and that no inconvenience whatever had arisen from the usage; and in answer to the complaint that military authorities had not been laid before the House, or examined at the bar, he conceived no practice could have a more mischievous tendency. He would seriously advise their lordships cautiously to avoid such a practice, and to keep their legislative functions free from any influence from the opinions of military men, who were the instruments, and ought not to be the springs of legislative action. If their lordships should once bring military men to their bar for such a purpose, they would soon come again by petition, and afterwards by remonstrance. He concluded by seriously approving the bill, as a measure the most likely to be efficient.

Lord Mulgrave expressed his astonishment at the opinion expressed by the noble lord, who was himself a soldier, and of justly high character, as to what might be the consequence to, or the disposition excited in the minds of military men, by being called to give their evidence at their lordships' bar; and he totally denied the justice of the inference. With respect to the bill, he was a friend to its principle, but feared it would be inefficacious, and ought only to be tried partially as an experiment.

Lord Grenville took a concise view of the whole subject. He said he had long been convinced that the measure now proposed was that peculiarly calculated to render our army such as the situation of Europe required. This sentiment was impressed on his mind by long reflection, and by frequent re-consideration. It had been asked who could have been the statesman with whom such a conception could have originated? For his part he had learnt it from the great statesman lately deceased, whose loss had been so much deplored, and to a late, a very late period, he could venture to assert, that the sentiments of that distinguished person remained unaltered; nor could he believe they were changed, since he had often heard him conclusively answer all the arguments which had been urged against it. As to the measure being an invasion of the King's prerogative, he was astonished to hear it asserted, particularly by those who had had so much share in the military measures

of

of the last four years. Could it be pretended that any army which was to be maintained in this country could be maintained independently of parliamentary sanction and controul? The King incontestibly and by the first principles of the constitution possessed the command of every species of military force; but that force was subject to the regulations of pay, controul, &c. which Parliament directed. Nay, after we had seen that the very regulations as to limited service had been adopted as to what constituted peculiarly our home defence, would it be pretended that it was unconstitutional that the regular army, that which might be employed abroad, should be enlisted on terms which had been sanctioned in the other? It was in vain therefore to say that this was an invasion of the royal prerogative, and hostile to the constitution. Indeed, after the able and convincing speech of an illustrious person (the Duke of Gloucester) that night, it was clear what were the sentiments entertained by every branch of the family on the throne on this point. Never since that illustrious House sat on the throne had any pretension been countenanced of an army not subject to parliamentary controul. His lordship then entered into a consideration of several of the objections, particularly as to the expence of the plan. He argued that it might be assumed as a doctrine, that of the persons surviving at the different periods when their services expired, one half would re-enlist. Of 120,000 men, at the average casualty of one in twelve, 10,000 men a year were necessary; which would be 200,000*l.* calculating that one half re-enlisted, there would only be 16,000 wanted a year, and that not until the expiry of fifteen years, and the additional part of the expence could not occur in full extent till after thirty, so that the whole benefit was obtained before the expence of recruiting commenced. Thus, instead of two or three millions, the expence of recruiting would not be above 200,000*l.* at first, or afterwards 300,000*l.* at 20*l.* a man. As to the expence of future provision, it was grossly exaggerated, and if there was any addition of expence, it was a fair remuneration to the veteran, which, in consideration of the expence of living, &c. would, independently of this measure, have been fairly due. In a constitutional view, also, the measure was highly advantageous, as giving the soldier new motives of attachment to the civil liberties of the country, to which he would always

always look with a consciousness that they were his. The peculiar advantage of this measure, too, was, that it was clear, short, and intelligible. The people of this country could not mistake it. It would teach them, by a sort of intuitive knowledge, that a soldier was not placed for life in a situation different from the rest of the community, but that after having served his country, he was at liberty to re-enter the civil state if he pleased. The measure required no lawyer to explain it; it demanded no recruiting officer to catechise parish officers. It called upon no secretary of state to read voluminous lectures on acts of parliament: but would impress itself on the feelings of the people at large, and while it increased the numbers of the army, would preserve and increase its constitutional spirit. His lordship concluded by expressing his strongest approbation of the measure as simple, constitutional, and efficient.

The committee then divided on the clause—

For it - -	91
Against it - -	34
Majority -	57

The House was then resumed, the report received and agreed to, and the bill ordered to be read a third time on Tuesday.

Lord Grenville, referring to the conference on the subject of the resolution respecting the abolition of the slave trade, gave notice of his intention to move on Friday next to concur in the said resolution. Adjourned at three o'clock in the morning.

HOUSE OF COMMONS.

FRIDAY, JUNE 13.

Sir Theophilus Metcalfe brought up the globe insurance company's incorporation bill. On the motion for the first reading, a conversation took place between Sir William Curtis, Alderman Prinsep, and Mr. Shaw Le Fevre, respecting the propriety of putting off this affair till the next session. In consequence of this, the further discussion was postponed till Tuesday next.

The deputy usher of the black rod summoned the House to the House of Peers. The Speaker, on his return, announced that the royal assent had been given by commission to the property bill and others.

Lord

Lord Henry Petty reported that the lords had been waited upon for the purpose of desiring a conference respecting the resolutions of Tuesday last, relative to the slave trade, and had agreed to grant a conference immediately. A Committee, consisting of all the members then in the House, with the exception of Mr. Wickham, who is lame at present, was appointed to manage this conference, and each went forth as his name was called. After an interval of about half an hour, the committee returned, and Lord H. Petty reported that they had communicated the resolution to the Lords, and had left a copy of the same for their lordships' use.

Mr. Kemp from the excise office, presented an account of the amount of duties on excise outstanding in the years 1805-6. Ordered to lie on the table.

Sir Charles Price presented a petition from the dealers in lace, in the city of London, against the thread-lace bill. Ordered to lie on the table.

Mr. Wickham, in consequence of what had been said by a right honourable gentleman, (Mr. Rose) the preceding night, moved for the following papers—1st, for such article or articles of the treaty of 1800, with Bavaria, as related to the stipulations about commissaries attending the troops—2d for letters, or extracts of them, containing the opinion of his Majesty, relative to the treaty, and the provisions, as to the commissaries—3d, Letters, further explaining the duties of the commissaries—4th, copies of the instructions to the commissaries appointed—5th, copy of the instructions to Mr. Wickham to perform the duty of a commissary, mentioning the time at which it was sent him—6th, copies of letters from Mr. Wickham, explaining the arrangements that had been made by him, relative to the commissaries attending the troops, and the instructions he had given them—7th, copies of letters expressing the opinion of government, as to these arrangements and instructions—8th, the copy of the opinion of government, as to the passing of the accounts; and 9th, copies of letters relative to the expence of the subsidized troops, transmitted by Mr. Wickham.

All these motions, which were of course by address, were agreed to.

Mr. Grant, pursuant to notice, moved for the report of the Committee of Correspondence to the Court of Directors, on the subject of the Carnatic debts. This he did that the House

House might have every possible information on the subject. He also moved for several letters that passed between the Directors and the Board of Controul, relative to the plan for liquidating these debts. Ordered.

Lord Howick gave notice, that he would on Monday move for leave to bring in bills relative to the increased pay to the navy; and that on the same day he would move for certain papers connected with the subject.

Mr. Moore, after some observations on the great advantages which this country was likely to derive from India, and the necessity which there was for having full information on the state of that country, moved for several papers relative to the revenue and state of our eastern empire. These, after a few words from Mr. Grant, were granted.

Mr. Fox brought up the slave trade carrying bill, which was read a first, and ordered to be read a second time on Tuesday next.

Sir John Sinclair brought up a report from the highway and broad-wheeled waggon committee. Ordered to lie on the table.

Sir John Newport moved for leave to bring in a bill to amend the Irish acts, relative to the election of members of Parliament. After a few words from Mr. Foster, Mr. Stewart, and Sir John Stewart, leave was given.

Mr. Bernard, with a view to bring before the House the manner in which the money committed to the charge of the directors for Inland navigation had been expended, moved for an account of the sums which had been expended on the port of Dublin, the authority under which they had been so expended, and the reports which had at various times been made by their directors, relative to the improvement of the same.

Mr. Foster said, that not a sixpence had been expended, except in procuring hands.

Mr. Bernard asserted that various sums had been expended, for machinery, engineers, &c. &c.

After a few words from Sir John Stewart, Lord Castlereagh, and Sir John Newport, the motion was agreed to.

WEST INDIA AUDITORS.

Lord Henry Petty moved the commitment of the West India auditors' bill. In doing so he hoped, that although he had pretty fully stated the nature of this proceeding before, he should be indulged for a few minutes with the attention

tention of the House, in consequence of what had been lately said on this subject by the right honourable gentleman opposite (Mr. Rose). A bill had certainly in 1800 been brought into the House for correcting the abuses in the West Indies, which had been found on inquiry more alarming than had even at first been imagined. The commissioners went to the West Indies, and in the course of two years found it necessary to send home one of their number, for the purpose of tracing certain delinquencies connected with the West Indies, which could only be found out here. Mr. Bearcroft accordingly, even at the risk of stopping the operations of the commission, arrived here in 1805, and certainly discovered many abuses. This shewed the necessity of having some of the commissioners here. But all that the bill referred to did, was to institute an inquiry into existing abuses, without making any provision for bringing up the accounts in arrear, which would be the means of eliciting much additional information. It failed in bringing offenders to punishment, and the accounts were not investigated by the auditors here. The object of the present bill was to renew the powers of that commission, and extend them to the present as well as to the late war, to enable the commissioners to bring up the accounts in arrear, and even to examine accounts after they had been passed by the regular auditors, if they should see fit. As to the patronage alluded to by the right honourable gentleman, there was a considerable difficulty in procuring proper persons to accept of these places, which would compel them to go to the West-Indies. As to the point of salaries, he thought these ought to be fixed and paid regularly. He also obviated the objection, as to the commissary acting with the commission by stating that this commissary was not a public accountant, but a comptroller of accounts. He considered this bill as in every point of view of the most essential importance.

Mr. Rose was as anxious to have these abuses corrected as the noble lord could be. The patronage he had spoken of referred to the commissioners at home, as he was aware of the difficulty of finding proper persons to go to the West Indies. To the principle of the bill he had no objection. It was indeed a proper thing to have such a bill, as it included the present as well as the late war. But he contended that there was nothing else in the bill beyond what had been in the former, or if there was any thing

more, it was unnecessary. There was no occasion for having any of the commissioners at home, as, upon the reports from abroad, any thing that they could do would be as well managed by the auditors here. When they came to the Committee, he would take the sense of the House on that clause.

Mr. Fox said, that if Mr. Bearcroft had been found so useful here, it would be strange, if commissioners residing here with greater powers than he had, should be found useless. It was very erroneous, therefore, to suppose that those offices would be sinecures. Many persons would, no doubt, fly to this country to escape the rigour of the inquiry in the West Indies, and it was proper to be prepared for this. Besides, the commissioners would go in rotation to the West Indies. He therefore did not see any occasion for the right honourable gentleman's amendment.

Mr. Perceval thought it would be difficult to procure competent persons to go to the West Indies, and still more so if they were to go in rotation, for scarcely any one would be found who would engage, after residing here two or three years, to go to the West Indies afterwards, because he could not know how his situation might be be changed in the course of that time.—Mr. Bearcroft had, besides, the information collected in the West Indies to guide his inquiries here, while these commissioners would have no more knowledge of the matter than the regular auditors in this country, by whom the duty might be equally well performed. He could not conceive what employment there could be for those of the commissioners here, while only two went to the West Indies, where the heaviest duty lay; and all this while the instance of Mr. Bearcroft was the only one to shew that there was any use for any of the commissioners being here at all.

Mr. Fox in explanation said, that he had not stated the instance of Mr. Bearcroft was the only ground for having commissioners here. He merely mentioned it as a proof that these officers here could not be considered by the gentlemen on the other side as mere sinecures.

The House then went into the committee.

Mr. Rose proposed as an amendment, that three West India commissioners be appointed instead of five, which produced a debate, in which Lord Howick, Sir William Young, Mr. Perceval, the Attorney General, Mr. Morris, and Lord Castlereagh delivered their sentiments,

timents. An observation on the extension of court patronage intended by this increased number of commissioners, called up

Mr. Fox, who addressed the Committee with much animation "*Non meus hic sermo*," he exclaimed. He thought the last administration were the most unfit persons to make such a charge against their successors. It was true the remark did not escape a noble lord, whose practice in a neighbouring island, on the occasion of the union, was well known; for, to increase patronage and influence, he had condescended to an expedient vulgarly called giving bribes, but more politely denominated political munificence. At least his lordship should not take up the gauntlet, which had been somewhat imprudently thrown down by an honourable friend near him (Mr. Rose). If the present administration were to be implicated in the same offence against their public duty, in only one hundredth part of what was chargeable upon his lordship, they would have sufficient motive for future repentance.

Lord Henry Petty said, the commissioners would have no sinecure; they had accounts to the amount of three hundred millions to examine: amongst these was one of Mr. Valentine Jones, who in one year had received to the enormous amount of 700,000*l.* and whose conduct had placed him in a very serious predicament.

After some further discussions by Mr. Rose, Mr. Wickham, and the Attorney General, the House divided on the amendment. The numbers were,

Against it	91
For it	41
Majority	50

Mr. Perceval and Mr. Rose next insisted, that the commissioners intended to be sent to the West Indies should have the duty assigned them in those islands on the face of the bill.

Mr. Fox and Lord Henry Petty argued, that the place of their employment would be more properly left to the direction of government, who would regulate this matter according as circumstances should vary the scene of duty.

Mr. Hawthorn then quitted the chair, and the House

being resumed, it was ordered that the report of the bill be received on Monday next.

AMERICAN INTERCOURSE BILL.

Lord Temple moved the second reading of the American intercourse bill.

Mr. Perceval submitted to the noble lord if it would be proper to go into a question of so great importance at so late an hour (near 11 o'clock).

Lord Temple said the learned gentleman and his friends would have an opportunity of expressing their objections to it on the motion for the Speaker's leaving the chair, as effectually as they could have in the present stage.

Mr. Perceval said, as he thought the present bill one of the very highest importance, so he was resolved to give it the earliest and most ample discussion in his power, which he might probably repeat on the after stage to which the noble lord alluded. He should therefore feel it his duty, even if the second reading were moved at two o'clock in the morning, to deliver his sentiments fully upon it.

The Speaker requested of gentlemen to observe that there were petitions and counsel against the bill.

Lord Temple said he had no objection, if it was for the convenience of the House, to agree to postpone the second reading. He could not assent to it, however, either as an indulgence to the learned gentleman, or in consequence of the threat made by him.

Mr. Rose conceived the bill to be one of the highest importance to the country. It went simply to this, if we should permanently suspend the navigation laws, which had been the chief source of the naval strength of this country.

Lord De Blaquiere did not approve of, nor could he conceive any cause for the warmth of the noble lord (Temple). He did not like that time of night for going into a business of such importance as the present.

Mr. Perceval and Lord Temple explained.

Mr. Fox conceived the bill to be highly useful, but could not allow it to be by any means of the importance described. It was by no means a measure of a permanent nature, but one altogether temporary. Neither was it without a precedent. Twenty years ago the navigation acts, among many others, had been suspended for a

longer

longer period, he trusted, than would be necessary on the present occasion.

Mr. Rose explained that, on that occasion, it was only suspended during the then war. Here it was not for the present war, but a general suspension during every war in which we might be engaged.

Sir C. Price also disapproved of the bill.

Mr. Fox declared his readiness to confine the bill to the present war; and if his doing so could remove the objections of other gentlemen, who, from misconceiving the effects of the measure, opposed it, he would even consent to limit its durance for a time to be specified, or during the war.

Mr. Rose replied, that he objected to the principle of the bill.

Sir C. Price wished it referred to a committee up stairs.

Lord Temple moved that the bill be read a second time on Monday; but, at the request of Sir C. Price, agreed to postpone it till Tuesday; then to stand the first of the orders.

In answer to a question from Mr. Huskisson, Mr. Vansittart stated, that he believed the extraordinaries of the army would be brought forward some day next week.

Mr. Alexander brought up the report of the committee on the Prussian yarn duty; which was agreed to.

He also brought up the report of the Gibraltar and Malta postage committee. The resolutions were agreed to, and a bill ordered to be brought in accordingly.

Mr. Alexander obtained leave to bring in a bill for confirming the agreement between the treasury and the Duke of Grafton, of the 43d of his Majesty.

On the motion of Mr. Foster, the report of the foreign linen drawback bill was ordered to be received on Monday.

The excise office regulation bill was committed, and ordered to be taken into further consideration on Wednesday, and to be printed as amended.

The stamp office regulation and post office regulation bills were ordered to be committed on Monday.

The custom fees bill was committed and ordered to be reported on Monday.

The additional assessed tax bill was read a second time, and ordered to be committed on Monday.

Mr. Huskisson gave notice that he should then move that

that it be an instruction to the committee to divide the bill into two—the one half being for relief, and the other for an additional duty.—Adjourned at twelve o'clock till Monday.

HOUSE OF LORDS.

SATURDAY, JUNE 14.

In the appeal, Seymour, an infant, v. the Earl of Euston and Lord Henry Seymour, the Solicitor General was heard in reply.

Lord Eldon stated the circumstances of the case, and the reasons upon which his own decree was founded, and immediately left the House.

The Lord Chancellor contended, that the House ought to judge of the case entirely according to the evidence before them—and after delivering his own opinion at considerable length, concluded by moving four resolutions, the objects of which were to reverse so much of the decree of the Court of Chancery as authorises the appointment of the Earl of Euston and Lord Henry Seymour, as guardians of the appellant, to affirm the dismissal of the appellant's petition relative to the appointment of Mrs. Fitzherbert, as her guardian; and lastly to appoint the Marquis and Marchioness of Hertford as her guardians.

Some conversation ensued between the Bishop of St. Asaph, the Earl of Romney, and Lord Ellenborough. The last-mentioned noble lord wished to hear from the noble marquis some declaration of his intentions respecting the future education of Miss Seymour.

The Marquis of Hertford declined entering into any stipulations respecting his future conduct as guardian of Miss Seymour. He should use his own discretion, as to suffering her to remain in her present situation, or removing her from it, according as he should deem it most advisable.

The resolutions were agreed to, and the bills upon the table having been forwarded in their respective stages, the House adjourned till Monday.

HOUSE

HOUSE OF LORDS.

MONDAY, JUNE 16.

The House proceeded farther in the appeal "Graham v. the Countess Dowager of Glencairn," during which Lord Ellenborough sat for the Lord Chancellor. Mr. Grant was heard for the appellant, and the lord advocate of Scotland partly for the respondent. The further hearing was postponed till the next day.

Mr. Owen, from the East India house, presented several papers pursuant to an order of the House, which were ordered to lie on the table.

Lord Grenville gave notice that he should bring forward his propositions relative to the judicature of Scotland on Wednesday next, for which day the lords were ordered to be summoned.

Lord Auckland observed, that as a measure was about to be brought before Parliament for increasing certain allowances to seamen, it was necessary that their lordships should be in possession of information upon the subject when it came under discussion in that House. He therefore moved for several accounts relative to the revenue of Greenwich hospital, and the chest at Greenwich, which were ordered.

The Irish malt duty bill and the Chelsea allowances bill were read a second time, and committed for the next day.

Adjourned.

HOUSE OF COMMONS.

MONDAY, JUNE 16.

The Irish minor's bill was brought up, read a first, and ordered to be read a second time the next day.

Sir John Sinclair brought up the report of the committee on the forfeited estates in Scotland. Ordered to lie on the table, and to be printed.

The Irish election law amendment bill was brought up, read a first time, and ordered to be read a second time the next day.

The report of the Irish militia services bill was brought up, and, after a few words from Mr. O'Hara, the bill was ordered to be recommitted the next day.

Mr.

Mr. Meheux, from the India board, presented papers, pursuant to the orders of the House. Ordered to lie on the table.

The Scotch distillery bill was read a second time, and ordered to be committed on Wednesday.

The land tax commissioners' bill was read a second time, and ordered to be committed that day se'nnight.

The Gibraltar and Malta postage bill was brought up, read a first, and ordered to be read a second time the next day.

The Duke of Grafton's agreement bill, and the Prussian yarn bill were brought up, read a first, and ordered to be read a second time the next day.

Sir John Newport moved for leave to bring in a bill to amend the Irish spirit licence act of last session. Leave given.

Sir John Newport moved for leave to bring in a bill to revive and amend an act of the Irish parliament, of the 28th of the King, for appointing commissioners to examine into the state of the funds and revenues of the schools in Ireland. He stated that the powers of this act had been continued by other acts up to the year 96. Though great abuses had been discovered, no legislative measure had as yet been brought forward for remedying these abuses, and preventing the misapplication of the funds in future. The object of the present bill was to appoint a separate enquiry, so that, from a comparison of the various reports, some data might be obtained for a permanent legislative measure, as the subject was of the utmost importance. Leave given.

Mr. Bernard requested to know from the right honourable the chancellor of the exchequer for Ireland, if it was his intention to bring forward any measure, during this session, to regulate the paper circulation of Ireland. He stated the great inconvenience which existed in that country on account of the great issue of bank paper, and the numerous frauds practised by persons styling themselves private bankers, who were not possessed of any real property whatever. The country of Ireland, he knew well, expected some immediate redress upon this head, and looked with considerable anxiety to the right honourable baronet, from the great information he possessed respecting that and other subjects relative to that part of the united kingdom.

Sir John Newport replied, that he certainly had intended to bring forward certain propositions relating to that subject,

ject, but had been prevented from submitting them at present, in consequence of several failures, which had produced considerable distress among the banking companies in Ireland; and therefore he conceived that any step of that kind would, for the present, do more harm than good.

On the motion of Mr. Paull, the following gentlemen were ordered to attend the House, when the charges against Lord Wellesley should be taken into consideration on Wednesday the 18th inst.: William Cowper, esq. John Stracey, esq. J. Riley, esq. Lieutenant-colonel Meric Shaw, and Henry Strachey, esq.

Mr. Bankes gave notice, that on Wednesday next, immediately after reading the first charge against Marquis Wellesley, he should move that the House should entirely dismiss the same.

On the motion of Sir Charles Price, there was ordered to be laid before the House an account of all imports and exports from this country to the countries within the Mediterranean, down to the latest periods, distinguishing the British ships and tonnage employed in the trade from the foreign.

Sir H. Mildmay begged to learn from a noble lord who sat opposite to him, whether any measure relative to an exchange of prisoners between France and England had been agreed upon by the two governments. He was induced to put this question, from the circumstance of certain French naval officers having been allowed to return to France.

Lord Howick replied, that no exchange of prisoners had yet been agreed upon. Some persons had indeed returned from France, who could not be considered in the light of prisoners; he meant those who had been detained on the breaking out of the war. Only one naval officer, Captain Gower, who had been a prisoner, had been permitted to return to this country, and he had come on his parole.

The committee on the assessed taxes' bill was postponed till the next day.

Mr. Alexander brought up the report on the custom-house fees' abolition bill, which was ordered to be taken into farther consideration the next day.

Mr. Hobhouse rose to postpone the second reading of the Nabob of Arcot's debts' bill. Before he fixed a day for that purpose, he wished to say a few words to the House. The bill had now been three months before them, and there certainly had been full time for the consideration of it. Be-

sides, it ought rather to be considered as of the nature of a private bill, and he was therefore anxious that it should pass in the present session. He certainly felt some reluctance in postponing the second reading; but he was unwilling to press it in the absence of the right honourable secretary (Mr. Fox), and of several other gentlemen who wished to deliver their opinions upon it.

Mr. Francis contended that the bill was of a public nature, and one, indeed, of great general interest. He wished it to be put off till an early period in the next session, that, in the mean time, the subject might receive full consideration.

Mr. Hobhouse did not mean to say, that the bill did not affect the interests of the public; but as the interests of individuals were immediately concerned, he had brought it forward as a private bill.

The Speaker stated that, according to the forms of the House, it was certainly a private bill.

Mr. Ryder observed, that any unnecessary delay in passing of the bill would subject a number of private individuals to great distress.

Mr. Francis explained; and the bill was ordered to be read a second time on Thursday next.

TRIAL OF LORD MELVILLE.

Mr. Whitbread did not conceive that the motion which he should now make could meet with any opposition; and therefore he should content himself with moving, that a committee should be appointed to inspect the journals of the lords, with relation to their proceedings on the trial of Henry Viscount Melville, and to report to the House what they should there find.

Sir H. Mildmay wished the honourable gentleman to give some explanation to the House respecting the object of his present motion.

Mr. Whitbread replied, that some kind of information might probably be obtained from the lords' journals by which the House might be regulated in their future proceedings on this subject.

Mr. Dent said, that from what had fallen from the honourable gentleman, he seemed to think that the House was to do something hereafter in this matter. He therefore wished to receive some information of what it might be.

Mr. Whitbread replied, that he certainly wished to make the

the honourable gentleman as wise as possible; but it was not for him to say what the House might think proper to be done when the report was before them. He apprehended, however, that it would be material for the House to know the opinions of the judges on certain questions that had been submitted to them.

Mr. Fuller recollected that, before the trial, it was hinted that the expences of the noble lord should be paid in the event of his being acquitted. He begged to know what was intended to be done in that matter.

Lord Henry Petty replied, that the noble lord was not entitled to it, from any thing that had been said on a former occasion. However, this might be a subject for future consideration, if the question should at all come before the House.

Mr. R. Dundas begged to say one word. He understood that something like an implied promise had been given, when the propriety of removing the proceedings from the House of Lords to Westminster-hall was argued, as that had occasioned a considerable increase of expence to the defendant.

Mr. Whitbread's motion was then agreed to, and a committee appointed accordingly.

GREENWICH HOSPITAL.

Lord Howick stated, that he could not bring in his bill relative to the seamen at Greenwich at present, owing to an informality, for he now found that a message from his Majesty would be necessary. In the mean time, however, he would move for some information which it would be material for the House to possess. He accordingly moved for a copy of the minute of the governor of Greenwich hospital of the 5th inst. relative to the out-pensioners and wounded seamen.

Mr. Canning highly approved of this measure, and he was glad that one of his Majesty's ministers, and one too for whom he had the utmost respect, intended to confer this boon by the mode of a message from his Majesty. This example had before been referred to, and he was happy to see that he adopted the practice which had been all along recommended from that side of the House, and did not attempt to follow the steps of his colleagues, who wished to take a short cut to popularity, by trenching on the prerogative.

Lord Howick hoped that he would always receive with due respect any expressions of esteem or regard for himself in that House; but when these came evidently with a view to contrast his conduct with that of his colleagues, they were such as he had much rather not hear. No argument whatever could be drawn from his conduct on the present occasion against his colleagues, because the cases were totally different. All prize-money was by law at the disposal of the Crown, and when it was intended to dispose of that money, it was obvious that the proper mode was by a message from the King. There could here, therefore, be no contrast, and when any gentleman wished to attack his colleagues under the appearance of paying a compliment to him, it was a sort of praise which he was very little disposed to accept. The motion was then agreed to. His lordship further moved for an account of the revenue and expenditure of the chest at Greenwich, and for a copy of the minute of the supervisor of the chest, relative to the amelioration of the condition of the seamen. These motions also were agreed to.

WEST INDIA AUDITORS.

Mr. Hawthorne brought up the report of the West-India auditors bill.

Mr. Rose said, that there was no provision here that any of the commissioners should go the West Indies. He had therefore an amendment to propose, which was, that three of the commissioners at least should positively go to the West Indies.

The *Speaker* informed him, that his amendment ought to be brought forward as one to the body of the bill. He was at present to put the question that the blank should be filled up with the word "two," purporting, that two commissioners should go to the West Indies. If this should be carried in the affirmative, the right honourable gentleman's amendment must be proposed in a subsequent stage.

Mr. Huskisson, Mr. Perceval, Mr. Long, and Mr. Sturges Bourne, contended that it was absurd to send only two commissioners to the West Indies, where the burthen of the business lay, and where there was the greatest risk of mortality, while three remained here doing almost nothing.

Mr. Ryder also contended that most of the evidence might be better taken in the West Indies, and therefore thought it absurd the commissioners abroad should not have that power of residing which the commissioners here had.

had. He thought the measure was only calculated to increase the patronage of the treasury.

Lord Henry Petty, Lord Howick, and Mr. Morris, on the other hand, contended that the burthen of the business was not in the West Indies, for the gentlemen on the other side seemed to forget that this commission was not only intended for the investigation of abuses, but also for the bringing up of the accounts in arrear.

After a few words from Mr. Fuller, and Mr. Wm. Smith, the House divided on Mr. Rose's amendment, that the blank should be filled up with the word "three." Ayes 21. Noes 72.

Upon our return to the gallery we found Mr. Huskisson on his legs, urging some further objections to the bill. To which objections Lord Henry Petty replied, alledging that the measure was calculated to secure a complete and speedy investigation of the abuses complained of, and also to guard against their recurrence.

Mr. Rose repeated his former assertion, that the places about to be created by the bill would be mere sinecures, and serve only to extend ministerial patronage. This assertion the right honourable gentleman expressed his resolution to repeat again and again, however it might be resisted by the noble lord, who ought, in his judgment, to have sought much more experience before he had ventured to originate a measure of this nature, which betrayed a total ignorance of official business.

Lord Howick expressed his surprise at the quarter from which the House had just heard such vehement objections against sinecures. After much lofty declamation upon political purity; after such high tones of independence, and such ardent expressions of solicitude for the economic expenditure of the public money, the House would naturally look for some evidence of the right honourable gentleman's sincerity, and no doubt that sincerity would be evinced very soon, perhaps the next day, by the right honourable gentleman's resignation to his Sovereign of the sinecure which he himself held. With regard to the right honourable gentleman's allusion to his noble friend (Petty's) want of experience, it was true, the noble lord observed, that his noble friend was not possessed of that experience which might be looked for from a veteran in office. There was, however, a great deal of the experience to which, perhaps, the political success of the right honourable gentleman

was

was owing, which he rather thought not desirable to his noble friend; while such experience as was really valuable, could not be difficult of attainment to that assiduous application of active talents for which his noble friend was so eminently distinguished. But upon the subject of want of experience in the arrangement of this measure, the right hon. gentleman dealt in fact only in assertion; for experience, even very recent, was in favour of that provision in the bill of which the right hon. gentleman complained. It was notorious that in consequence of the sending home one of the commissioners from the West Indies in the course of the last administration, the inquiries of the commissioners were materially assisted, and frauds to a great amount were discovered; therefore the right honourable gentleman's assertion was not entitled to credence. It was strange, the noble lord observed, how resolute the right honourable gentleman and his friends were to carry on debate. He had hoped that the debate, on this subject at least, was at an end before that evening; but the right honourable gentleman and co. still determined to persevere—rather more, to be sure, in bringing forward accusations against ministers than in adducing arguments against their measures. Among those accused indeed he understood the right honourable gentleman had thought proper on a former occasion to include him, principally, as he was informed, in consequence of some appointments that were recently made in the department over which he had the honour to preside. Had he been present at the time the accusation was made by that right honourable gentleman, he most probably should not have felt it necessary to take any notice of it. But he now thought it proper shortly to remark upon the cases alluded to. And first, with regard to the removal of Sir A. Hamond from the navy board, the fact was, that the honourable baronet had made application for leave to resign before the patent of his appointment to the admiralty was actually made out. The application was acceded to, and he had felt it his duty to recommend that the honourable baronet should, as is usual in such cases, be allowed three-fourths of his salary during life. At the same time he had to mention, that the reason of this grant was solely on account of the honourable baronet's length of services. The noble lord added, that the ground of the honourable baronet's application for leave to resign was indisposition, and consequently inability to attend to the duties of the office; but yet

yet he was happy to see that the honourable baronet was already so far recovered as to be able to attend all the debates of that House *(a laugh)*. To Sir Andrew Hamond a successor (Captain Dickens) was appointed, in every point of view unexceptionable; but this gentleman being disqualified by illness to act, Captain Nicholls, an officer of character equally unquestionable, was substituted for him. Of the other three new appointments made in the naval department, the noble lord declared that so far from having any view to patronage, the only desire was to procure persons capable of an efficient discharge of duty in a branch of service where such efficiency was but too visibly wanted; and of those who were appointed he had to state that not one was at all known to himself or any of his colleagues in any other way than from the report of their qualifications. There was a fifth appointment about to be made in his department to which, perhaps, some part of the right honourable gentleman's censure might be pointed; that was with regard to Sir Charles Saxton's office at Portsmouth: that officer's age unfitting him for his present station, was about to retire, but required that which he thought it his duty to resist, namely, that he should be allowed to retain the whole of his salary. Upon the retirement of that honourable baronet, the noble lord stated his intention of recommending an officer (Captain Grey) to succeed him, his connection with whom should not prevent him from saying that he was fully qualified for the office. With respect then to the conduct of the navy, the noble lord felt that the right honourable gentleman's imputations were as unfounded as those which he had thought proper to direct against the proceedings of his noble friend, and the measure before the House.

HOUSE OF LORDS.

TUESDAY, JUNE 17.

Strangers were for some time excluded during a discussion in the committee of privileges.

After the doors were opened, the House proceeded further in the appeal "Graham *v.* the Countess Dowager of Glencairn," during which Lord Ellenborough sat for the Lord Chancellor. The Lord Advocate of Scotland was again,

again, in part, heard for the respondent. Further hearing on Monday.

A person from Greenwich hospital presented several papers in pursuance of an order of the House, which were ordered to lie on the table and to be printed

The Irish malt duty bill, and the Dublin paving bill passed through committees, and were reported.

MUTINY BILL.

Lord Grenville moved the third reading of the mutiny bill.

Lord Hawkesbury said, after the full discussion the bill had undergone, he would not detain their lordships by going over the same ground again. His object now was to move an amendment, which was calculated, in his opinion, to render the measure before the House less objectionable. Many of the arguments urged by noble lords against the bill still remained unanswered, and formed in his mind very strong objections to the measure. He was still of opinion, that if a choice was allowed to persons enlisting to enlist either for life or for seven years, that ninety-nine out of a hundred would prefer the former. The only fair way of trying the measure in this way would be to allow persons to enlist in either way, giving sixteen guineas bounty for enlistment for life, and twelve guineas for seven years. As it was, however, decided by the House, that enlisting for a limited period should become a general measure, it only remained to him to propose what he conceived would be a beneficial alteration of that period. He was of opinion that enlisting men for the short term of seven years would produce little benefit to the army, whilst at the same time it would not be any real advantage to the men enlisted. He thought that twenty or twenty-one years would be a period much more likely to prove advantageous. Let a man serve for that period, and then, if he survived the contingencies of the service, be entitled to a pension for the remainder of his life. The army would, by this means, always have a certain number of experienced soldiers; the value of whom were well known to all military officers. On the other hand, it was to be feared that if men were enlisted for only seven years, they would become restless and unsteady, and the army not derive much benefit from soldiers of that description. The present bill rendered the period of

of military service shorter in this country than it was in any other state in Europe, without, as he conceived, promising any adequate advantage. On the contrary, great inconvenience must necessarily arise from such a system in drafting regiments, and with respect to our colonial service. His lordship, after recapitulating some of the former arguments against the bill, concluded by moving to insert in the oath the period of twenty years, instead of seven.

The Earl of Lauderdale expressed his astonishment that such a motion should come from the other side of the House. On a former evening noble lords on the other side had arraigned his Majesty's ministers for trenching, as they alledged, on the King's prerogative, by the enactment relative to limited service contained in this bill, and now they themselves came forward to propose another limited period of service, which was as much an invasion of the King's prerogative, according to their own arguments, as the proposition made by his Majesty's ministers. He thought it wholly unnecessary to argue as to the superior inducement which there must be to every man to enlist for seven years rather than for life, as such a disposition was clearly deducible from the slightest experience of human nature. The same argument was equally applicable to an enlistment for seven, instead of twenty years. If noble lords on the other side were told that they must remain in a state of sorrowing and suffering, as it had been termed the other night, for twenty years instead of seven, they would doubtless declaim loudly against it, and endeavour to make the period of seven years still shorter. The opposition made to this measure appeared to him very singular, as the principle of enlisting for a limited period had been applied by noble lords on the other side before they quitted office, to the marines, and it was from the success of this very measure that a very convincing argument was to be deduced in favour of the general application of the principle to the whole army. His lordship stated an order made on the 3d February, 1806, directing men to be enlisted for the marines for a limited period during the war, and read extracts of letters from General Campbell, to prove the success of the measure in obtaining recruits, but did not state the numbers enlisted. As to the objection taken by the noble lord, with respect to drafting, it was well known that when a regiment was ordered to a distant clime, or on foreign

service, that there were always individuals belonging to that regiment, who, from age or other causes, were incapable of encountering the fatigue of a voyage, or the heat of the climate to which the regiment was destined, and who were, therefore, drafted into other regiments. If this measure was carried into effect, he did not believe that there would be at any time more men to draft on account of their terms of service being near expiring, than there were now for other causes. Another objection had been taken by the opponents of this measure, as to the expence with which it would be attended; and, he must say, that this had been most unfairly argued. Those who had argued on this ground, had included in their estimate the pensions given to disabled and retired soldiers, when it must be evident that these pensions were what soldiers disabled by wounds or age were justly entitled to, as a provision for the remainder of their lives, and that they formed a strong inducement on the side of the recruiting service. He would not detain the House by entering into any further discussion of the subject, the arguments urged on the other side had already been fully and completely answered. He should therefore merely declare his determination to oppose the amendment.

Lord Hawkesbury, in explanation, said he had no knowledge whatever of the order alluded to by the noble earl.

The Earl of Suffolk argued generally in favour of the bill, and objected to the amendment.

The Earl of Westmoreland repeated several of his former arguments against the measure, and denied any knowledge of the order to which the noble earl (Lauderdale) had alluded. He supported the amendment.

The question was then put, that the word "seven" stand part of the bill, which was carried. The bill was passed, and a message was sent to the House of Commons to acquaint them therewith.

The House resolved itself into a committee on the Chelsea allowances bill.

A long conversation ensued, in which the Earl of Westmoreland, Lord Hawkesbury, the Duke of Cumberland, and Lord Eldon requested information from noble lords on the other side as to the probable amount of the allowances to be issued, and contended that it was unprecedented to bring a bill of this nature before Parliament without

without some previous estimate of the amount of the expence.

Lord Grenville, the Earl of Rosslyn, the Earl of Carnarvon, Lord Auckland, and the Earl of Lauderdale contended, on the other hand, that it was impossible to make an estimate of an expence, the amount of which must depend upon future casualties and contingencies, and that the only object of the bill was to give the soldier a legal title to receive those allowances which might be hereafter directed by his Majesty and sanctioned by a vote of Parliament.

Lord Eldon complained that the bill was amazingly unintelligible.

Lord Grenville said, if noble lords on the other side would stay, he would endeavour, as far as his poor abilities would allow, still further to explain the bill.

Lord Eldon said he would stay as long as the noble lord wished, if he could make the bill intelligible.

No further objection was made to the bill, which passed through the committee, and was reported without amendment. Adjourned.

HOUSE OF COMMONS.

TUESDAY, JUNE 17.

On the motion of Mr. Alderman Combe, the debate on the first reading of the globe insurance incorporation bill was resumed.

Sir John W. Anderson took an objection on the ground of there being two companies with exclusive rights for making marine insurances.

Sir Theophilus Metcalfe stated that the unexpected opposition brought forward in an unusual manner against the first reading of the bill in question, obliged him to trouble the House with a few words on the subject, and that he thought it necessary to explain to the gentlemen who were not in the House on Friday, how an adjourned debate took place upon a first reading. When the question was put on that day, an opposition started, and before any reply could be made, the more important business of a commission and conference with the Lords necessarily put an end to the debate. The objections then offered were the bringing forward the bill at so late a period of the sessions, and a desire of an

honourable baronet to know, whether the bill contained a clause for incorporating all the insurance companies. If the honourable member who took the first objection had read the votes with his usual attention, he would have seen the reasons assigned by the petitioners, and as these reasons satisfied the House, he hoped they would have the same effect upon his honourable friend.

Sir Theophilus said that the plan upon which the bill was founded, being an offer to pay a hundred thousand pounds into the exchequer for the benefit of the public, could not be carried into effect without the interference of the King's prerogative, which obliged the petitioners to submit their propositions, in the first instance, to that branch of the executive government where such proposals were always investigated, and the final approval of the lords of the treasury and privy council recommending the introduction of the bill, was not made known till the 9th of the month.

With respect to the other objection, that the bill did not contain a certain clause, a little consideration would satisfy the honourable member that such a clause could not be admitted, as every company desirous of obtaining a charter must have a separate act. But if the company in which the honourable alderman has an interest will come forward with an offer to give the public an hundred thousand pounds, the measure should not experience from him any jealous or envious opposition. He added, that as it was not usual to oppose a bill in that stage, when the House was ignorant of its contents, he trusted it would be suffered to go to a second reading, when every member would have a printed copy, by which the merits of the bill would be explained, and till then he begged leave to assure the House, that in his opinion the measure was calculated to promote the interest of the public, and the general advantage of the community at large.

The bill was then read a first time, and ordered for a second reading.

Petitions were afterwards presented by Sir John Anderson and Sir W. Curtis from several insurance companies against the globe insurance incorporation bill. Ordered to lie on the table.

Sir John Sinclair gave notice that he would, the next day, call the attention of the House to the report of the committee

committee on the broad-wheeled carriage bill, particularly to that part of it which related to the number of outside passengers allowed upon stage coaches.

The Irish export and import bill, and the Irish spirit licence bill, were read a first time, and ordered to be read a second time the next day.

Mr. Meheux presented certain papers from the India House pursuant to order. Ordered to lie on the table.

Sir John Newport moved for leave to discharge the order for committing the Irish militia services bill, with a view, as the right honourable baronet stated, afterwards to move for withdrawing the said bill and substituting another in its place, which should be free from the objections to which the measure before the House was liable.

Colonel Bagwell expressed a hope that the right honourable baronet would, in framing the new bill, attend to the objections against the former bill, which were communicated by several Irish gentlemen who were interested in the measure.

Sir John Newport observed that this was not a measure of the present administration, but of their predecessors. In arranging a substitute for it his Majesty's ministers would of course feel it their duty to consider the objections alluded to by the honourable gentleman; though for himself he was ready to say that several of these objections had no weight on his mind. The bill was withdrawn.

The Irish election regulation bill, the Irish miners' bill, the Gibraltar and Malta post bill, the Duke of Grafton's agreement bill, and the Prussian yarn bill were read a second time, and the four latter were committed for the next day; the first was ordered to be committed on Thursday.

The production of certain papers relative to India, which were ordered some time since, but which were not yet on the table, was ordered forthwith.

Ordered, on the motion of Mr. Calvert, that a return should be presented to the House of the informations brought forward, and of the convictions and compromises which had taken place in consequence of the offences against the act imposing a duty on malt, for ten years, ending in June, 1806.

Mr. Wallace, with a view, as he stated, to shew that no blame was imputable to the late board of controul, for resisting the production of certain papers on the subject of India,

India, on the ground that their production would be injurious to the public interest, moved that these papers, comprehending the correspondence between Lord Wellesley and Colonel Scott, in the years 1799, 1800-1, respecting the conduct of the Nabob of Oude, and which was not already on the table, should be laid before the House.

Lord Morpeth objected to the motion upon the same grounds which induced, as the right honourable mover stated, the late board of controul to meet the same motion before. The part of the correspondence which was withheld contained particulars relative to the private conduct of the Nabob of Oude, which it would be highly improper, in his opinion, to lay before the public, especially as they related to a prince at present in amity with this country. The noble lord had no objection to afford any private information desired upon this subject, but he would resist the idea of giving publicity to the case to which the motion referred.

Mr. Paull animadverted upon the singular ground laid by the mover of this proposition, that though he had resisted when in office, the production of certain documents, as injurious to the public interests, yet still he would press his successors to grant precisely the same documents. He was, however, ready to support this motion, as he wished the House to have the fullest information relative to the affairs of India. As to the objections which were expressed against these papers, because they contained some statements upon the misconduct of the Nabob of Oude, he was prepared to say that he could prove such misconduct was the result of oppression, injustice, and tyranny, practised towards that prince. It was idle therefore to say that the real motive for refusing these papers was a desire to avoid injuring the character or feelings of that prince. There were, however, as he wished the House to be sensible, several extracts in the papers moved for, which had no reference whatever to the conduct of the Nabob of Oude, but which were material to elucidate some part of the conduct of Lord Wellesley.

Sir A. Wellesley, on the part of his noble relation, desired that nothing might be brought forward which could have a tendency to injure the Nabob of Oude, even though the production of such documents might be somewhat advantageous to his own case.

After some further remarks from Mr. Calvert, Mr. Holford,

Holford, Mr. Alexander, Mr. Rose, Mr. Paull, and Sir A. Wellesley, the motion was withdrawn.

The Secretary at War presented certain accounts relative to Chelsea hospital, which were ordered to lie on the table.

Mr. Paull asked the noble lord (Temple) whether it was his object to press coming to a final vote upon the charge against Lord Wellesley the next day. He was induced to apply for information upon this point, as there were several gentlemen as well as himself who did not clearly understand the noble lord's object. It certainly would be rather singular if the noble lord should press for a final decision upon the charge the very same day on which the evidence respecting it was to be examined.

Lord Temple replied that his object was to prevent delay in the investigation of this business; and his motion simply was, that if no motion upon the subject should be made the next day by any other person, he should feel it his duty to bring it forward. The honourable gentleman, therefore, having given notice of a motion for the next day, his purpose was answered, and he meant to give way to the hon. gentleman.

Mr. Paull called to the recollection of the House, that his notice on this subject was given the day before the debate took place upon the noble lord's motion, and he appealed to the judgment of the House, whether any delay in the prosecution of this business was attributable to him.

Lord Temple presented petitions from the merchants, planters and agents of the island of Jamaica, against the slave trade abolition, praying to be heard by counsel, upon the second reading of the said bill.

Mr. Fox observed, that he meant immediately to move the second reading of this bill; but that the petitioners' counsel might as well be heard upon the report.

The petitions were ordered to lie on the table, as was a petition to the same effect, presented by Mr. Rose, from several ship-owners.

The bill was read a second time and committed for Thursday, Mr. Fox stating, that if business pressed on Thursday he would move to postpone the committal of this bill till Friday.

On the motion of Lord Temple, the thread-lace bill was ordered to be re-committed the next day.

Mr.

Mr. Alexander brought up the report of the Irish post-road act.

Mr. Ker proposed a clause, that the expence to be incurred under this bill should be levied upon the county at large, and not upon the particular barony through which any new road might pass.

Mr. Foster, Mr. Stewart, and Mr. M'Naghten recommended rather to leave this part of the arrangement to the discussion of the several grand juries, who were best competent to judge of the local circumstances in which it would be right to act upon the honourable mover's proposition, or the contrary.

The clause was withdrawn.

The report was agreed to, and the bill ordered to be read a third time the next day.

Mr. Hawthorn brought up the report of the committee of supply relative to the grant of compensation to Messrs. Chalmers and Cowie, which was agreed to.

The West India auditors bill was read a third time and passed.

Lord Henry Petty gave notice of his intention to move on Monday for leave to bring in a bill for more effectually auditing the public accounts of this country.

AMERICAN INTERCOURSE BILL.

Lord Temple moved the order for the second reading of the American intercourse bill; and, upon the motion that counsel should be called in on the part of the petitioners against the said bill,

Mr. Rose said, no man in this House rates the abilities of the right honourable gentleman opposite to me (Mr. Fox) more highly than I do, but he has not considered this subject with the attention it merits. He says the bill under consideration repeals no law. It is true, Sir, the word "repeal" does not occur in it; but the enactments do effectually and expressly remove all the colonial restraints in the navigation act, the principle of which was established as early as the time of Richard the Second; further regulations were made for the benefit of British shipping in subsequent reigns, till that of Charles the Second, when the system was brought to nearly its present state of perfection. Under the wise and provident restrictions of the law then passed, our naval power has grown to its present strength; it is on that ground, I contend, no permanent alterations should

should suddenly be adopted:—the distinction between a repeal and a perpetual suspension, as in this case, will be found to be rather a nice one. The act of the 12th of Charles the Second, ch. 18. provides that nothing shall be imported into, or exported from the plantations, except in British ships, on pain of forfeiting the ships, &c. &c. &c. Under this bill the importation and exportation in foreign vessels into and from our islands is unlimited; but we are told, that in point of fact, this act has been suspended from time to time, the truth of which, during the last and present war, partially and for limited periods, I admit; but that was, however, done under a severe and strict responsibility of the governors of the several islands, who were amenable to the secretary of state for their conduct, and on whose representation their indemnity from Parliament depended; there was therefore reasonable security against the misapplication of their power, and that is completely rescinded by this measure. We are told indeed that the responsibility is only shifted to his Majesty's ministers; what reliance we may have on that may be judged from what fell from the right honourable gentleman, who professes a decided opinion that this is indispensably necessary in time of war, and thinks it may be fit to be continued also in peace. Such sentiments from an authority so high and respectable are seriously alarming: and if acted upon, a deadly blow will be given to our naval power. I will bring under the view of the committee as shortly as I can, the regulations made for governing the trade between Great Britain and her colonies, and the American States, from the time of the separation of the latter from the former. After the conclusion of the American war, the new situation in which we were placed by this event, led to an act being passed in 1783, to enable his Majesty by orders in council to make regulations for carrying on the trade with America, under the authority whereof a proclamation was issued, confining the trade between the United States and our colonies to British ships exclusively. At that restriction the assembly of Jamaica, and the West India proprietors in general became greatly alarmed, and made lively and strong remonstrances to the council against it, urging that the consequences of it must be ruinous to the islands. These complaints were immediately attended to, and the parties were fully and patiently heard before the committee for trade; they were permitted to produce evidence as long

as they had any to offer, and all other persons were called upon who were thought likely to throw any light on the subject, including merchants resident in Great Britain, late governors in America, and British settlers in that country. This enquiry, conducted with the utmost impartiality, lasted two or three months, and ended in a report recommending that the proclamation confining the trade to British ships should be enforced. It could indeed have no other termination, as it was satisfactorily proved to the Lords that the supplies to the islands might be regularly furnished in these ships at moderate prices; and that the sale of rum would not thereby be prejudiced. The trade was accordingly so carried on from that year (1784) to 1793, without the slightest inconvenience having been experienced in either of those respects by the islands; they were plentifully supplied with lumber and provisions at moderate prices, and they found a ready and fair market for their rum and melasses. The good effects of this adherence to the navigation laws, were as striking as they are incontrovertible, as will be seen by the rapid increase of colonial shipping, contrary to the assertion of the West India planters before the committee for trade in 1785, who then stated that any shipping being fitted from the islands was hopeless.

	Ships.	Tonnage.	Men.
In 1790 belonging to the West India islands	706	86,010	5,115
In 1804, reduced to - -	67	7,629	626
To continental colonies in 1790	229	21,900	1,452
In 1804 - - -	100	11,906	734
In 1792, British ships in the American trade inwards	197	42,035	22,400
1794 - do.	11	2,152	134

It must, however, be admitted that the whole of the falling off of the ships from Great Britain was not owing to the suspension of the navigation acts, as there were other causes that contributed to that.

I have already admitted that the governors of the islands began so early as the year 1793, or 1794, to relax from a due observance of the navigation laws, and I believe it was, in most instances at least, necessary they should do so: because, on the breaking out of the war the trade in British ships was much interrupted, and measures were not taken for

for furnishing regular convoys: the suspensions were, however, only partially restrained to particular articles, as well as limited in time—and on the appointment of a noble duke and myself to the presidency and vice-presidency of the board of trade, in 1804, we made enquiries, the result of which inclined us to think, that even during war, the terms of the proclamation alluded to might be acted upon, if convoys could be furnished. Instructions were indeed sent out to the governors in the West Indies in 1804, and 1805, in consequence of communications from the committee of trade, that occasioned the relaxation of the navigation laws to be very much narrowed, and fortified, by which the governors were preparing the islands for an adherence to them, except in cases of real and urgent necessity. The governor of Barbadoes, in particular, strongly expressed the support he derived from his instructions, and his hope that he should succeed to the extent desired, making great complaints of the unnecessary interference of foreigners with our colonial navigation, and of the illicit practices of the Americans in particular. In other islands the supplies in neutrals were restrained, as far as related to provisions, but under the provisions of the present bill, all the proceedings of the late committee of trade will be rendered utterly useless, and the whole trade to our colonies will be completely thrown open to foreigners. We are told, however, that this is a measure of absolute necessity. I deny that—it is also denied by persons much more capable of forming a correct judgment on the point than any of us in this committee.—What is it then we ask? Not that our opinion shall at once be acted upon, but that an enquiry shall be had to prove who is right, and that a determination may be taken conformably thereto. I will undertake positively that such an enquiry shall be gone through in four or five days, at the utmost, before a committee up stairs, which would not delay the progress of the bill a single hour; if that shall be granted, I have good reason to believe it will be proved to demonstration that the opinion entertained by the noble duke before alluded to, and myself, respecting a regular supply to the islands in British ships, is a correct one; there are merchants of the highest respectability, and ship-owners, who are ready to embark in circuitous trade from hence to America, the West Indies, and home, as soon as they can be assured of convoys, if this bill shall be dropped——that can be proved before a

committee. Will you then refuse to men entitled to every attention that can be shewn to them, the opportunity of establishing these facts by proof, when no possible inconvenience can arise from your doing so? I believe there is no instance of an enquiry being refused in such a case: what then will be thought of our proceedings if we should shut our doors against such petitioners as are now before us, who tell us we are about to adopt a measure as injurious to the country, as it must be ruinous to them; and that if we withhold our hands, their ships, now rotting by the walls, will find profitable employment? Has this been asked for? If by any body, let us know by whom. Since the bill came into the House, some West India gentlemen, who now, as on other occasions, expressed an approbation of it;—if an enquiry is granted, the petitioners undertake to shew to those gentlemen that they could not suffer by the navigation laws being enforced, that they would send out ships, and settle correspondences to ensure a regular and ample supply for the islands, which would ensure increased means for bringing home the crops, whereas it was notorious that for want of a sufficiency of ships in the trade, more than twenty thousand hogsheads of sugar were left in Jamaica in the last years, and great quantities in the Leeward islands. Can his Majesty's ministers, under such circumstances as these, refuse an enquiry? Can they so treat men entitled to respect and consideration? And I will venture to ask also, will they so set at defiance the public opinion? without being able to suggest any reason whatever for such a refusal, for as yet we have heard none, nor can I form an imagination of a plausible one. If they are confident they are right, why not take to themselves the triumph of proving that, and exposing our error? By refusing investigation, the impression on the minds of all impartial people must be unfavourable to ministers; there has been no enquiry even before the committee of trade to justify this measure, a thing likewise unheard of. The noble lord has suggested the difficulties that may attend regular convoys being granted, from the gigantic efforts of our enemies for the destruction of our trade in this war; what answer has been given by the admiralty to the question to them respecting convoys before I left the committee for trade I cannot tell; but after the almost total destruction of the naval power of all our enemies, I did not expect to hear any dread expressed of their gigantic efforts on the seas;

seas; I certainly entertained a hope that one of the good consequences of our great and brilliant naval victories would be a facility in protecting our trade in every part of the world.

I cannot be less anxious than the noble lord, or any other member, that there should be no uncertainty or fluctuation in the supplies to the colonies in the West Indies, as I have as deep an interest there, in proportion to my whole fortune, as most men in this country; many of my nearest connections have also considerable property in them: that consideration, however, cannot turn my attention from other interests both of a public and private nature; but let me not be understood to take any great merit to myself in that respect, because I am acting under a conviction that the islands would be as regularly and as well supplied in British ships, as they are now even in time of war, if convoys can be furnished. In time of peace nobody can doubt it—experience has put that matter completely out of doubt. I trust, therefore, the right hon. gentleman (Mr. Fox) will reconsider his opinion of the probable necessity for relaxing our navigation laws in peace, as the promulgation of it may do incalculable mischief if uncontradicted. If we look to the effect likely to be produced by this measure to our continental colonies, we shall not find the ground of objections weaker: the system which has been pursued since 1784, has been nearly as mischievous to these as to our navigation; instead of advancing rapidly in cultivation as they were doing previously to that time, that has been checked, and their trade with the West Indies has fallen off very considerably, as appears by the accounts on your table. This evil is the more serious, and should be the more guarded against, as in the event of a breach with America, it is on our remaining settlements on the continent that the West Indies must principally rely for their supplies.

On looking on this bill apparently so simple in its provisions, gentlemen are not aware how many important interests are likely to be injured by it. The American ships which supply our islands with lumber and provisions, do not confine themselves to these articles, nor indeed does this bill restrain them to such; they have been in the practice, as we have learned from the governors and naval commanders, as well as from seizures made of cargoes to the islands, great quantities of East India piece-goods, (which from the superior

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seamen the shipping of Great Britain and of her colonies is, it is not exclusively to that we are to look for resources; the fisheries both at home and on the coasts of our continental colonies, as well as at Newfoundland, are very extensive and important sources; a due encouragement given to them might be essentially useful, and afford another reason for a due observance of the navigation laws.

After all I have said, however, in favour of maintaining those, I do not mean to contend they ought not in any instance to be deviated from; I could not indeed consistently do so, because I have acted otherwise; in cases that might be beneficial to our commerce and manufactures, and could not be injurious to our navigation, there is an act, 43 Geo. III. chap. 153. sec. 16. in force to permit neutral ships to come from enemies' ports, from whence, of course, no British ship can come; and another, 42 Geo. III. chap. 80. continued by 44 Geo. III. chap. 50. which repealed all the suspended acts of the last war, and confining the importation in neutral ships to the produce of foreign possessions in the West Indies, the cargoes of which shall be warehoused for exportation; a third which admits hides and tallow under particular circumstances, is, hardly worth alluding to; some of the acts in the last war, (originating with what was called the Dutch property act) certainly gave advantages to foreign merchants as well as to foreign ship-owners, because the cargoes imported under those in neutral ships were warehoused, and the duties not paid till the goods were taken out, either for home consumption or exportation; the foreigners saving thereby the advance of money for the duties, and paying only for the quantities taken out, while the importers in British ships paid the duties on importation, and for the whole quantities imported,

My reason for believing that British ships can carry all the articles which our colonies may want, arises from very long and laborious enquiries which I have made from ship-owners both in Great Britain and in the West Indies, and others who are best qualified to give information upon the subject; I am prepared even to enter on the detail as to the times when they should sail from this country, take in their lading in America, &c. &c. but it is unnecessary to trouble the House with these particulars: I will establish the whole clearly before a committee, if I am allowed to go to one. I will undertake to prove that the planters would be

be regularly supplied with all they want as early as shall be necessary, and at an extra expence, not exceeding two per cent. on the freight. I have only to add, that in the event of hurricanes, or other unforeseen emergencies, the governors must unavoidably have the same discretionary power to open the ports, that the government of this country always exercises in such cases at home.

These are the grounds upon which I ask the noble lord to consent, and wish the House to agree to go into an enquiry before a committee; no possible delay can be occasioned thereby; I will pledge myself that it shall be closed before the papers now copying for our information can be on the table; if it is not, I will agree to the bill proceeding without waiting for the result of that enquiry; I will attend the committee myself from day to day for as many hours as shall be necessary, and I am sure there are other gentleman who will do the same, till the report shall be made. Is it possible that under these circumstances enquiry can be refused? You have at your door imploring for it a great number of men very highly respectable in their several situations as merchants, ship-owners, ship-builders, persons in the various branches of trade dependant on the building and equipping ships; you know that not an hour's delay can be occasioned by your hearing them, and will you, or can you refuse to do so? I will not yet believe that you will do so unprecedented a thing, because I am certain no reason can be assigned in support of it. In every commercial and political point of view the subject is a most important one, and one respecting which (above all others) the fullest investigation should take place before a material alteration is made in it; in the present instance there has been none either before the council or in this House. Let me therefore repeat my earnest entreaties, on the part of the public and of the petitioners, that this matter may be carefully examined before a committee above-stairs.

Lord Temple thought it rather hard, after the subject of this bill had already been so thoroughly debated, and after the House had agreed that the petitioners against the bill should be heard by their counsel that day, that those gentlemen should have no counsel ready, and that those who brought forward the bill should now be called upon to withdraw it, and to let the regulation it proposed stand merely upon the spur of exigency. The complaint urged

by the ship-owners was, that the protection of their rights under the navigation-act, should be placed exclusively under the direction of his Majesty in council, instead of being left at the discretion of the governors of the West India islands, where it had hitherto in effect remained, and been so repeatedly violated. This was rather an extraordinary complaint: but he would beg to know how those governors could be judges of what was transacting in this country with respect to the supply of those islands, or how they could know what cargoes were shipped, or what convoys were upon the seas from this country for their accommodation, when, upon the slightest appearance of exigency they should be importuned to throw open their ports to American vessels, for the attainment of supplies. Under this bill it would become the duty of his Majesty's ministers vigilantly to anticipate, and timely to provide for the necessities of those islands, and it would be time enough for the governors to assume the responsibility of the navigation laws, when the negligence of his Majesty's ministers should place them in an emergency that should warrant such an assumption. As to the other general topics upon which the bill had already been so frequently opposed, it appeared to him that they had been amply refuted, and it was unnecessary for him to detain the House with offering any farther arguments upon the subject.

Sir Charles Price opposed the bill, and observed that, after the fullest investigation he had been able to give it, if it passed into a law, it would be ruinous to the shipping and carrying-trade of this country, and would transfer our maritime importance, with our sailors and shipbuilders to America.

Sir William Young spoke in support of the bill. He shewed that the exports of British produce and manufactures to America, in the last year, was upwards of nine millions sterling; very great part of which was given, and fairly and with good policy, to American ships, in order to promote the advantages of our manufactures, which were certainly as fairly entitled to protection as our shipping. Had those goods been confined to British bottoms, the sale would not ever have approached the extent just mentioned: besides, the value would have been loaded with the expence of convoy, and the market uncertain. But he would ask why those ship-owners, who were so very anxious for a monopoly in supplying our West India colonies

lonies with American produce, did not endeavour to obtain part of this trade of nine millions?

Sir W. Curtis opposed the bill, and maintained that the West India islands were regularly and sufficiently supplied from this country. He disliked the bill because it declared that we could not in time of war supply our own West India colonies. He, on the part of the shipping interest of London, pledged himself that, if this bill were departed from, they would employ their capital, and the shipping they possessed, which were at present rotting, in carrying on this trade.

Sir Francis Baring denied that British merchants could be found ready to supply the colonies in the way the hon. baronet who spoke last had stated. They could not do so on account of the very great expence. They must have three voyages—one from this country to America in ballast; the second, from America to the West Indies, with a cargo comparatively nothing, and which the freight would exceed in value by five or six times the amount; and from this second voyage he believed there was hardly ever an instance of a vessel returning to this country.

Mr. Alderman Prinsep had no objection to leaving the exercise of a discretion with ministers, convinced that they would not abuse it. There were, however, clauses in the bill which alarmed him. One in particular, where the importation into the West India islands was extended to all goods whatever, and to *manufactures*, a word which he thought ought to be omitted, as all the islands could require under the bill was lumber. By another clause, a liberty of exportation was given, extending to sugars, &c. which he thought ought to be omitted. If these alterations were understood to be agreed to, he should not object to the bill, otherwise he must oppose its further progress.

Lord Temple said that, generally speaking, he saw no objection to the alteration proposed by the honourable member.

Mr. Perceval said, if this bill goes into a committee, I have no doubt that the noble lord will acquiesce in the amendment proposed by the worthy magistrate who spoke last, and by which some of the objections to the bill will unquestionably be in a degree removed. But however those objections may be removed, I apprehend that after all that can be effected by giving way to the desire of the worthy magistrate, the House will upon reflection be of opinion,

that there will still remain objections in principle, which will render it extremely unwise to pass this bill in any shape whatever.

An honourable baronet under the gallery (Sir F. Baring) whose authority on mercantile subjects stands (in this House as well as every where else) extremely high, has given us to understand, that he is decidedly of opinion, that the ship-owners of this country who oppose this bill are desiring to have the monopoly of a trade which, if they had that monopoly, they could not carry on; that the trade which they seek, and which they say they are ready and eager to enter into, is actually impracticable. Now, sir, with all the respect and deference which I most unfeignedly feel for the opinion of that worthy baronet, and without pretending to have an opinion of my own worthy to be mentioned with his upon any commercial question, I cannot forbear from remarking, that this is only opinion against opinion, and judgment against judgment, not mine against his, for that I should not have the presumption to state, but the opinion of great, intelligent, and wealthy merchants of this city, against the opinion of the worthy baronet; and these merchants, thus qualified to judge, give this pledge of the sincerity and strength of their conviction, that they declare themselves ready and willing to embark in this very trade, and risk their interests on its success: and, I am confident, that however valuable and deservedly eminent the opinion of the worthy baronet is upon this subject, yet the House must feel that it would be too much deference to be paid to any opinion, and I am persuaded that no person would be more sorry than the worthy baronet himself, that such deference should be paid to his, if the House should rest so far satisfied with the authority of that opinion, as to preclude any body of men in this country from having a full investigation of a subject so interesting to them, before any final decision upon it was adopted. What I wish is, that this point may be investigated by a committee nominated by this House, in order that we may be enabled to judge between the two opposite opinions, and to determine whether those who are concerned in the trade, who are acquainted with it, who are disposed to embark their property and their interests in it, have formed the true opinion, or whether the honourable baronet is right in his? The honourable baronet, had he been in the House on a former night when this subject was discussed,

cussed, would have heard on behalf of those who oppose this bill, merchants in the city of the most respectable character, and of the first intelligence, a declaration that they were now actually engaging in this trade; that they had actually taken up shipping for the purpose of carrying it on; nay, that in so doing they were not engaging in any new untried speculation, but were merely reverting back to their former trade; that they had done the same before, had taken these voyages, had carried on that very trade which the honourable baronet deems impracticable, and were now disposed to embark in the same again, provided that such protection should be given to it as they asked; provided convoys should be afforded to them; provided that facility of opening the ports to neutrals which had lately obtained, should no longer be continued; and that the trade should be properly secured to the British subjects, under these circumstances. All we intreat is, that the House should not be hurried on with such precipitate and eager haste, without a pause for enquiry upon a subject which the honourable baronet himself, and all who support the measure, admit to be of extreme importance. All that is proposed by my right honourable friend is, that there should be a temporary suspension of the proceeding on this bill, until a short enquiry shall have taken place into some of the leading facts on which its merits must depend—the whole delay on account of this will not be more than four days: four days is all the time which is asked for the purpose of ascertaining the fact, on which there exists at present such a diversity of opinion. Now, Sir, I do think that this House can hardly do otherwise than grant the request of my right honourable friend; it is only to follow that course which is consistent with the well-understood practice of this House, constituting as it were a part of its character, the practice of giving a ready hearing to every thing that can be offered upon any subject which is before them; and more especially on a subject of such vital importance to the best interests of our trade and navigation as this is. When the first proposal was made for a committee above-stairs, the delay which it would occasion was then stated to be very short; from some reasons moving as much from the other side of the House as from any other quarter, fourteen days have elapsed since that proposal was made; during less than one half of that period, the whole of the enquiry propos-

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ed by my right honourable friend might be gone through, and then we should not have had to rest the debate on the opinion of one individual or another, who may occasionally deliver his sentiments in the House, but we should have had the authentic opinion and report of a committee, drawing their judgment from a proper source, namely, the evidence which they would have examined. I am sure the House must think it extremely unfortunate, that such a course was not taken at first; that would have been satisfactory to us all; the committee would have stated the facts, would have shewn the grounds on which they had proceeded; so that every member of the House would have been able to judge for himself as to the correctness of their statement or the fairness of their conclusion. But, Sir, I now feel indeed that there is a very substantial ground for the conduct of his Majesty's ministers, in endeavouring to hasten this bill forward. It is now apparent why they should be so desirous of passing this bill into a law; they have a ground which I was not apprized of in the least degree, until I came into the House this day. The order of the secretary of state, which I now hold in my hand, and which I presently will state, sufficiently explains it.

We are entitled, and that from the admissions of the honourable gentleman who spoke last, to say that this bill is at present capable of a variety of constructions, and that it is full of errors and defects, and might, if passed in its present shape, most mischievously afloat our trade in the West Indies. That admission indeed of itself, I should have imagined, might have been a tolerable good reason why the bill should not go through the House in haste; but we are told that the bill itself provides that it is never to be acted upon, except in cases of absolute necessity; and the honourable gentleman thinks there is great weight in that circumstance. It is that which seems particularly to reconcile him to the passing of this bill, that the power given to the privy council is guarded by the proof which they are required to have of the necessity of acting before they put it into execution; that they must, therefore, before they give any directions or instructions that any thing should be done in this matter, make all the necessary enquiries, and that ministers will not act blindly under the discretion when they possess it. The honourable gentleman, from his confidence in the present administration, may be disposed

to give these powers, in full trust that they will use them with this discretion. But, Sir, before this House gives the power to the privy council, that is to the present ministers, which this bill is calculated to give them, I could have wished that those ministers had shewn some disposition not to make an unnecessary and inconsiderate use of it; that such directions as they might give would only be from time to time, as the exigency of the case may require; and that they would so guardedly conduct themselves as to be able to correct their errors, if they should find out that their conduct was erroneous; at least it might be required, that they should have done nothing from which the contrary disposition might be inferred; that they would have taken no step without making some enquiry into the prudence of it; that above all they should have made no order on the subject matter of a bill which they intended to bring into Parliament, before the sense of Parliament had been taken on it; and that they would not have made any order whatever upon this subject at any time, under any pretence, for an unlimited period; this is what might have been expected. The House shall now see, Sir, what has been the fact. A right honourable gentleman (Mr. Windham) whose situation as secretary of state of the colonies, makes it proper, at least, if not necessary, for him to be present at this discussion, although he does not seem to have any disposition to attend to it, is now, I am sorry to observe, about to withdraw from the House, at the moment when I am going to make an observation on his conduct as a minister, when I am going to advert to an act which he has done of a most extraordinary nature. After all that has been said in defence of this bill, on account of its giving the privy council power to act only in cases of emergency, and that they cannot do any thing under it, except in cases of proved necessity, and that much of its merit depends on its not giving the privy council power to act, except in such cases of emergency or extreme necessity, what will the House say when I tell them that I now hold in my hand an order issued by that right honourable secretary three months before the time in which I have the honour of addressing this House upon the subject; that that order authorizes the governors of the West India islands to do that which the honourable gentleman seems to think would be improper for the privy council to do after this bill is passed;—not to suspend,

suspend, during an emergency of proved necessity, for a limited time, the law which prohibits importation by foreigners into the colonies; but generally, indefinitely, during the continuance of the war, to suspend the navigation laws as far as they respect this subject; and this—*(Hear! Hear! Hear! from several quarters with great vehemence.)* three months before he deigns to come to Parliament to ask for power to do so? This, Sir, may be a proper act, no man can doubt that; but it was done in a very improper manner, during the sitting of Parliament, without asking its authority, without waiting for its sanction; and, Sir, it is no less strange and unnecessary than it is improper, unless indeed we are to suppose that ministers are actuated by some political motives which they do not think proper to disclose to us, or unless they may think it will serve to shew the authority which they have in this House, that they take measures of this kind, anticipating the determination of Parliament, for the purpose of displaying their own power, and the confidence which they feel that this House is prepared to sanction whatever they may think proper to dictate. And are we now to be told that we are safe in trusting to the discretion of these gentlemen, that they will make none but a right use of the legal power which this bill will give them, when we have this instance before us, even where they assumed the power before it was legal, of acting upon it with so little discretion and reserve? What shall we say, after this, of the discretionary power to be given to such ministers by the present bill, of their limiting the exercise of it to the case of a proved emergency—when we see that before they were well warm in their seats, and before they had had time to make any enquiry into the existence of the emergency, or the probable duration of it, they assume an authority which the law had not given them, and act upon it to an extent which their friends admit would have been wrong, even if the authority had legally existed? This order, however, is the substantial reason which his Majesty's ministers have for pressing this bill through the House; they want an act of Parliament to countenance them in the illegal act which they have committed, and if enquiry should produce the proof that no justifiable necessity exists, the same enquiry they feel would produce their own condemnation, for assuming a power which had not only not been granted by Parlia-

ment,

ment, but which Parliament might determine was not proper to be granted at all. Sir, what fell from the noble lord makes it difficult to know exactly what is o be the intended operation of this bill, because, until all the clauses are gone through, we know not what articles are to be specified in the bill, as those which alone may be permitted for importation. The noble lord agrees generally to limit the bill according to the ideas of the worthy alderman who spoke last; I know not, therefore, what power is tended to be ultimately given to his Majesty in council, with respect to the articles to be imported; but I apprehend that as the bill now stands, every article of the produce of the West India islands may be exported from them to every part of the world.—*(No, no, no, from the ministerial side of the House).*—As this is doubted, Sir, I will read the words of the act, that they may speak for themselves.—*(Here he read the clause in the act of parliament, ending with the words, to import to, and export from any of the West India islands, &c.)*—By these words it is evident there is no limit to the exportation, neither as to the quantity nor quality of the articles, nor the places to which they may be carried. How all this is to be altered I know not, but so it stands at present. We have argued it, as if the importation was to be permitted only from America: it is, however, no such thing; every neutral country, as well as America, may, under this bill as it now stands, be permitted to import any article of the growth and produce of their respective countries. On this part of the bill much remains to be explained, and we must wait to be informed upon it, and to understand it, till we come into the committee. My impression, Sir, of the whole of the bill, is most undoubtedly, that it is perfectly impolitic and unjustifiable, because it is perfectly unnecessary. The authors of the measure, indeed, found it upon necessity. They tell us their reason for introducing it, is to afford necessary relief to the colonies to save them from starving, and to enable us and them to profit by their produce. If it were necessary for these objects, I should indeed agree that these objects would justify it; but it is demonstrable, nay, it is demonstrated, that it is not necessary for them, they are attained; they have been secured by the system, as it at present prevails, and which has been acted upon during the present war.

In all the history of parliamentary proceedings, it seems to me, therefore, there is no parallel to this measure. I

know of nothing equal to the character of inconsiderate improvidence and impolicy which attaches to it. We are all agreed that the system of the navigation laws is most essential to our greatness and our existence, and should not be broken in upon, but in cases of grave necessity: yet the noble lord's own statement, his own argument to prove that necessity, shews that it is unnecessary, distinctly proves that no such bill is required.

For the last thirteen years, he says the colonies in the West Indies have been obliged to be supplied from America with every thing they have wanted. The law, prohibiting such supply, has been obliged to be broken. Notwithstanding then the existence of the law, which the noble lord contends it is absolutely necessary should be altered, to enable the colonies to be supplied, and to protect them from starvation, it stands admitted, that for thirteen years the colonies have been in fact supplied. This I say is a practical proof that the bill is unnecessary. I say it cannot be stated to be necessary to have the law altered, to enable you to do that which you have been able to do without that alteration of the law, for thirteen years together. I admit, indeed, that this supply has been by an infraction of the law, and that as a general proposition, it cannot be doubted that it is better, by parliamentary provision, prospectively to legalize any act, than retrospectively to indemnify the illegal performance of it: and therefore, whether there is not more seemliness, more legislative propriety in suspending the law, as is intended by this bill, than to leave it to be broken, may be matter of argument, and it will depend upon the weight of the objections to be stated against such proceedings, whether it ought to be adopted or not. But it is impossible to found the measure upon that sort of necessity which the noble lord has asserted, a necessity which is supposed to be created by the utter starvation of the colonies, and destruction of their produce, which, but for this measure, would ensue; there must be an end, therefore, of all the declamation we have heard about this starving and ruin of the colonies; it is wholly inapplicable to the case; it is totally beside the merits of this question; for we find, nay, it is the foundation of the argument for the bill, that we have had an opportunity of supplying the colonies with provisions, and of bringing home their produce for thirteen years, during war, notwithstanding the law as it now stands; the argument, therefore, built on the necessity of this

this measure, is at an end, as that necessity is shewn not to exist. Then comes the consideration whether or not policy demands, or even admits of this measure: or, whether the impropriety of continually submitting to the breach of the law, continually recognizing that breach, and continually indemnifying it, as has certainly been the case, is not so objectionable as to outweigh the objections which can be urged against the bill which is now proposed? Now, Sir, as I have said already, I am perfectly willing to admit that as a general proposition (but not applicable to the state of our colonies) it is as unfit to continue the law in such a state, as to make the breach of it necessary: and that it is better to suspend or relax it, when you can reasonably anticipate the necessity of breaking it. As a general proposition, I say again, I am ready to admit it. But the question here is, first, whether it is a proposition which is true, as applicable to the particular situation of the colonies, with respect to the navigation laws? and another question naturally arising out of the first, is, whether it is wise to act upon that proposition, supposing it to be generally true at the present moment? Upon the first question, it must be remembered, that the main ground on which it is contended that authority should be given to the privy council, instead of suffering the power of relaxing the laws of navigation, and the power of opening their ports to remain with the governors of the islands, as it has done of late, is this:—That the situation of those governors, their constant, daily and familiar intercourse with the planters, who are naturally led to seek the cheapest mode of supplying the islands, exposes them to exaggerated statements of the necessities of those islands, and to a pressure from the importunity of the planters which is almost irresistible. But I apprehend the arguments from the importunity to which the governors are exposed, shews the necessity of making it more difficult for them to yield to it, and of protecting them from the effect of that importunity, rather than the propriety of making it more easy, by vesting them with the discretion which this bill through the privy-council would give them. At present the governor, if he suspends these laws, must suspend them under his own responsibility; he must be able to justify the violation of the law, by making out a strong case of necessity; and the noble lord seems to think that this is highly improper, for that the governors of the West India islands can know nothing of those various matters, the con-

sideration of which ought to govern the decision of the question, whether our ports shall be opened to foreigners or not? that they can know nothing of the state of the market here, of the general circumstances of Europe, of the state of convoys, of the prudence of our ships sailing for the islands, of their readiness to sail, of what they are about to carry with them to the supply of the islands; and that all these things are known only, or best known to the privy-council; that a governor of one of the West India islands can know nothing of them. Now, Sir, he certainly cannot know much of any of these matters; but he knows that which is more valuable for the present purpose than all the rest put together; he knows the state of the island that seeks to be relieved for want of supplies infinitely better than the government at home; he knows its wants, and possibly the means of its relief, which government here cannot know. Now, let us suppose that under the probability of being able to provide the islands from hence, government were to give directions to shut the ports of the islands, and rigorously to enforce the navigation laws, what would be the state of the governors in the West Indies if the islands should be in distress when such directions should arrive? precisely the same situation, I contend, as it is now. For the refusal of the privy-council to authorize the opening of the ports, would not make the obligation on the governors not to admit of foreign importation stronger than the navigation laws make it at present. A necessity similar to that which justifies their opening the ports now, would justify it equally when this bill is passed; for they would not under the authority of any law or order to enforce that law be led to cause the absolute starvation of the islands: after this law passes, therefore, the same inconvenience must again subsist, the same system be resorted to, unless the privy-council is uniformly to authorise the importation; and if that is the intention, it would be more candid and manly to avow it at once, and let Parliament itself make this alteration, instead of leaving it to the privy-council. But government are to send out, under the authority of this bill, directions to the governors of the West India islands how they are to conduct themselves; why cannot they do so now without any authority under this bill? Can any power which they may derive from this act of Parliament give them additional information as to the propriety of opening or of keeping shut at any particular time the ports in the West

West Indies? depending, as we are told that question does, on the state of Europe, and of the markets here, the state of convoys, or the state of ships and cargoes, on which the privy-council are supposed to know all, and the governors of the islands to know nothing? They may as well send out all this information without this bill as with it. But then, on the other hand, when we know that the necessary supplies for the West India islands are not to be had from hence, but that they must be had from the American market, what reason is there for supposing that government here are better judges of the mode of obtaining such supplies, and the necessity of obtaining them through foreigners, than the governors of the islands are? I contend, and contend, I think, irrefragably, that government here can know nothing of the state of the islands, or at least very little at any time in comparison with the knowledge of the governors of those islands; that government can have no means of knowing any thing upon the subject, except such as they derive from the governors; that with such materials it is impossible for them by orders from hence to meet the necessities of those islands; that they can seldom, if ever, send instructions from hence in time to be acted upon, so as to be useful to the islands in the hour of distress; but there the governors must know, and can act upon the necessity of the moment. This, Sir, leads me to think that it would be better to leave the law as it is, and to leave the governors of the islands to act under their own responsibility, as they have done, rather than to remove from them all the responsibility, and to shift it on government, who, however well disposed, cannot have such good means of judging as the governors on the spot. And I feel, Sir, an increased reluctance to repose this confidence in government, when I find that the present and prevailing opinion of its members is not to issue reluctantly such orders as may from time to time appear to be called for by necessity; but that the present mode is to issue general and sweeping orders at once, nay, the very desire to have this extended power which the bringing in of this bill implies, is a reason why it should not be given them, as it could not have been asked for but from the wish to exert it. I should therefore say, that I would not assent to any law to enlarge the discretionary power of a government, whose course of conduct was of this description. Gentlemen are therefore running away from the subject, when upon the supposition that the discretion of the privy council

council will prevent an unnecessary use of the powers under the bill, they refuse to grant an enquiry, to see whether the necessities of the colonies could not be supplied by leaving the law as it is. The time such an enquiry would take up, however great, would be no argument against the propriety of it; but the time would, in fact, be extremely short. The conduct of government in issuing the order to which I have alluded, makes it a moral certainty, that if that law pass, (such is the opinion and impression of his Majesty's present government) that the whole power given under this bill will be employed, and be continued during the whole of the present war. I say this from the best authority—from the actions of his Majesty's ministers; from the directions to that effect already given; and I am confirmed in this opinion by what fell from the right honourable gentleman (Mr. Fox) on a former discussion of this subject, when he said there was no likelihood that any event could occur, in which the exercise of the discretion by the privy council would not be necessary during the whole of the present war. The truth of the matter is, that the government has no idea of the possibility of this trade being carried on in any other way than they now propose it to be. The same opinion prevailed at the close of the last war; but an enquiry was then instituted, and it was found that it could be carried on by our own shipping. No man can doubt, that if the same trade be possible during the war, that it ought to be encouraged; that it would be infinitely desirable not to suspend any part of the navigation laws: why then refuse ourselves the opportunity of knowing the fact? of affording satisfaction to those who allege that the trade is practicable? who say they are ready to embark in it? In satisfaction to our own country we ought to hear them, in order to shew that we do not sacrifice any of its interests unnecessarily; and even if we were convinced that these gentlemen have taken up a wrong impression, we ought to hear them, if it were only to satisfy them of their error. But as this is not the opinion of the right honourable gentleman (Mr. Fox), nor that of the other secretary of state, and as they have so many other points to attend to, what chance is there of their instituting the enquiry? The enquiry must be made by the House or it will not be made at all.

Above all, the house would do well to consider the

doubt expressed by the right honourable gentleman (Mr. Fox), whether the provision of this bill will not require to be extended even to a time of peace; that is to me, Sir, a most alarming doubt coming from such a quarter. It is true, indeed, he stated no fixed opinion upon the subject; but he stated his mind to be in doubt upon it, and if his mind doubts whether the policy of this measure would not be applicable to a time of peace, we can have but very little hope that he or any of his colleagues will consent to institute an enquiry into the possibility of dispensing with it during war. The House will do well to consider that it is now called upon to adopt a measure, the principle of which is to legalize the suspension of that system of navigation law, which has long been felt not only in this House but out of it; not only in this country but out of it; not only in Europe but over all the globe, to have been the foundation of all our naval power, of our real strength, of all our greatness, from which is derived our glory; which has made us what we are, the admiration and envy of the world; a system adopted and followed up by the wisdom of our most enlightened ancestors, and recommended to our regard and veneration from the benefits which we have uniformly derived from it; benefits which other nations are endeavouring to grasp from us, and which such measures as these will tend to fling into their hands. Sir, these are serious considerations, and if ever there was a period when the policy of such a measure as this could be particularly doubtful in point of time, the present is that period. The world supposes at least, that there are at this moment many serious points, points of the greatest delicacy, connected with our colonial monopoly, and our belligerent rights as affecting our navigation system, depending between us and America. What can be the prudence then at this time, of adopting any measure which shall shew, that our principles of policy, whether respecting our colonial or our belligerent rights as connected with our navigation system, hang in any degree more loosely about us, than they did at any former period? Whatever may be the sentiments of government on the measures which may arise out of these points so under discussion, whatever may be the disposition or the determination of his Majesty's government on the subject of them, if contrary to every state policy which has always guided us, our government is about to make concessions (which I trust

I trust is not the case, though I fear it is) on the subject of that main bulwark of our strength, and foundation of our power, our navigation laws and our colonial system, policy requires that they should not betray a less regard for those laws, and for that system, than was felt by our ancestors. For they will render the sacrifice which they may be prepared to make of less value by shewing the light estimation in which they hold what they concede, and will purchase less returns of gratitude or other considerations for what they sacrifice. But if on the contrary this system of our policy is intended to be upheld; if at the time we insist upon upholding it, we appear by our conduct to undervalue it; our adherence will be attributed to our pride, to our obstinacy, to our ill-will, to any thing in short but those true principles of just and rational policy on which alone our determination to adhere to it, ought to appear to rest.

In addition to this, Sir, there are circumstances in the present time which I should think make the policy of this act of Parliament the most dangerous that ever was, or ever could be adopted in this country. For what do gentlemen say in support of it? they are loud to assert that for the last 13 years we have seen that we cannot supply our West India colonies without the assistance of America. To legislate upon this principle, what is it but to tell them and the world that America may do what she pleases with us. The honourable gentleman, a minister opposite, cheers at this idea, as if he seemed to think it a pleasing consideration that we cannot exist, that is, that our colonies cannot exist without America; that we must have her assistance or we cannot supply them. Surely every man must doubt the policy of telling America this, by the solemn assurance of an act of Parliament. It cannot be very wise to enact laws which will have the effect of telling the Americans that we are in their hands, that they may do what they please with us, that if they shut their ports against us our colonies in the West Indies must perish. Is it wise for the legislature of this country to speak this language to America, especially at a time when some persons of considerable influence there, do not seem indisposed to quarrel with us? But if the policy of such conduct be doubtful, what shall we say to the spirit and the dignity of it. The chosen opportunity for bringing in this bill is just upon the arrival of intelligence from America of an act having been passed there giving to the president

dent conditional powers of shutting up their ports against our trade, according as he does or does not receive satisfaction on given points within a certain period from this country. If we by passing this act do that which is convenient to America, which seems to favour her views towards our colonies, it will be attributed to a principle of fear in this country, impressed upon our councils by this act of the American legislature, a principle of action most baneful to a state at any time, most particularly so to ours at the present, and the manifestation of which would be as detrimental to the interests, as disgraceful to the character of this nation.

Upon the whole then of this great question, it appears to me, Sir, that we have made out these propositions; that all the necessity for this measure arising from the fear of the starvation of the West India colonies, and from the impossibility of their getting their supplies but through the means of this act of Parliament, is wholly done away by our having shewn indisputably that they have been actually and sufficiently supplied, before this act was thought of; that the loss which has been sustained in our shipping and navigation interests, by the departure which has been admitted from our navigation system, has been demonstrated; and the consequent necessity of endeavouring to adhere to our former practice, instead of systematically and authoritatively abandoning it still further, cannot, with any shew of reason, be denied; that it is our interest to hold in our hands the power, and to shew that we possess the means of carrying the necessary supplies in our own ships to the colonies, instead of being at this particular moment obliged to acknowledge their necessary dependance on America; and that the political consideration of the whole question with reference to our maritime strength, and the great interests dependant upon that strength, and with reference to our honour and dignity in the character of our conduct and proceedings at this moment towards America; that the adoption of this measure will be most unwise and most impolitic, called for and justified by no necessity, recommended by no utility, and under all the circumstances attending it, as disgraceful to our character, as it is useless and unnecessary to our interests; and therefore speaking for myself, I must say, that whatever alterations may be adopted in any of the provisions of the bill in the committee, I must continue to object to it. The noble

lord may in the committee remove the objections which others have to it, my objections are radically against its principle, such as cannot be cured in a committee. But the object of my right honourable friend near me (Mr. Rose), I can assent to most readily, because his object is enquiry to give information to the House, without which the House cannot with propriety proceed to act, because without it the House cannot be said to act with its eyes open; if therefore gentlemen on the other side will yield to his motion, and let the consideration of this bill be postponed for another week, and in the mean time go into an enquiry above stairs, it will not only be doing the House justice, and acting seemly and decently with regard to this great national subject, but it will also be proceeding with no more than due respect and attention to those who conceive their interests so much concerned as to apprehend their ruin on its passing into a law. But however well or ill founded those apprehensions may be, it must be admitted to be wise at all events in this House to proceed only on information on which it may rely, and to refuse to proceed without it, and not to confess by its conduct that it is compelled blindly and upon confidence to adopt this measure in ignorance, and as it were in contempt of those dangers to our navigation interests, and our maritime preponderance, which those most interested and best informed anticipated from its adoption.

The Attorney General was not more surprised at the objections made to this bill, than at the circumstance of their originating in the quarter from which they came. Under the late administration he should not have wondered at the difficulty being raised by that side of the House; because in their time, from the year 1793, every governor had been in the habit of suspending the navigation laws, and for the acknowledged violation of these a bill of indemnity was uniformly conceded. This applied not only to the act of Charles II. but to all the subsequent legislative regulations connected with it. Under the statutes of the 7, 8, 9, and 10 W. III. it is provided, that the governors of the colonies shall make oath to the observance of them, and a penalty is imposed of 1000*l.* for the neglect of them, as well as the loss of the office they held; so that gentlemen who opposed this scheme, must think it better that these persons should commit the crime of perjury, than that his Majesty's ministers should be entrusted with

with the confidence this bill would repose in them. Could such a proposition be gravely supported? Where was the shipping interest for which the worthy baronet (Sir Charles Price) contended during all the thirteen years that this infringement of the law was perpetrated to destroy it? There was not only a local and temporary necessity for the measure, for it appeared that while ministers had all the benefit of a right honourable gentleman (Mr. Rose's) experience, it was continued for that long period, and his authority was not inconsiderable, for no one was more forward to interfere for the public advantage than himself, and with this sole view he interposed. The question was, if they were to go into a committee up stairs to make enquiry, and to hear counsel in that committee; and the subject was the policy during the war, of importing into the West India colonies in American ships the growth and produce of the country from which those ships came. It was objected to this, that it was a deviation from the salutary provisions of the navigation laws, and that these had hitherto been respected. Did gentlemen remember the act of the 24th Geo. III. c. 39, which was a relaxation of those laws, not for a partial purpose, but extending to the whole trade between Great Britain and America; and it was also a bill which enabled the King to regulate all duties and drawbacks affecting that intercourse: a subject on which the House had always watched with peculiar suspicion and jealousy. Again, in 1797, the trade to and from the Cape of Good Hope was subjected to the direction of the same authority during the war, and very great expectations were formed of the commerce with that important settlement. It was hastily assumed, that the governors were the best judges when the navigation laws were to be suspended, even the governors of the most insignificant establishments, as well as of the most valuable and splendid. Was there no situation of Europe, no condition of this country with regard to the means of subsistence, which would influence the policy of this measure? and how could those officers judge of the expediency from such causes? With regard to the lecture which his honourable and learned friend, (Mr. Perceval) had delivered, he would leave that to the reflection of his Majesty's ministers; it was between him and them; no doubt it originated in the most friendly motives, and was intended purely to strengthen their weakness, and enlighten their darkness. It was, indeed,

unfortunate, that public affairs should be committed to such unpractised persons, and that the right honourable gentleman (Mr. Rose) who sat next to his learned friend, should not be permitted to add some ten or twelve years more to the twenty-two or twenty-three years experience, of which the House had heard so frequently. The learned gentleman was naturally surprised, that such young hands should presume to undertake so laborious and difficult a duty; and he expected, no doubt, that they would patiently submit to all the salutary correction he should condescend to apply.

Mr. Canning. The honourable and learned gentleman who has just sat down seems to think that every suggestion and advice from this side of the House is to be received with distrust by ministers, unless accompanied with a declaration of friendship for administration. I have always considered it a sufficient apology for every member of Parliament who delivers his opinion in the fair execution of his duty, if he professes to have in view, not the pleasure of the administration of the day, but the interest of his country. Upon that principle I shall take the liberty of considering the subject now before us, than which I am confident there never was a matter brought into this House of greater importance, not so much for its immediate effect, as on account of the political principles connected with it. Many propositions have been submitted to Parliament which have been liable to one or other of these objections, either that they were altogether unnecessary, or that being called for by a supposed necessity, they have been pressed to an extent which would produce a greater mischief than that which they were intended to remove; but I do not recollect any measure which comprehended so much of both these objections as the present; originating, as I think has been most clearly shewn, in no necessity whatever, and at the same time teeming with so much practical mischief.

The necessity in which it is contended that this measure originates, I take to be this, that under the circumstances of war it has been deemed impossible for Great Britain to supply the West India colonies with the articles which it is absolutely necessary they should have, and that America alone can supply them. If it had been contended on this side of the House that the latter mode should in no case be adopted, but that measures should be taken to preclude

clude the furnishing of supplies from America, in cases where it was found impossible for the West India colonies to do without them, I should understand the eagerness with which this measure is supported. But in arguing this question, I think myself at liberty to put the West India supplies entirely out of my consideration, not because I think them of no importance, but because they are nowise affected by this bill. Whether this bill passes or not the West India interest may be equally well secured, as it has hitherto been by the continuance of the discretionary power of the governors of the colonies. I desire to know in what instance the exercise of this discretionary power of the governors has been either rashly checked, or severely enquired into; in what instance the responsibility attached to that exercise of power has prevented any governor from exercising it in case of necessity; in what instance the exercise of that power, with that responsibility attached to it, has failed to receive the sanction of Parliament, and an indemnity by law. So confidently is this indemnity anticipated by the present government, that there is now on the table of this House a letter of the secretary of state, on which I shall have occasion to remark bye and bye, promising on behalf of Parliament what he calls the usual indemnity to all the governors who are called upon to act under it. If then there has been no disposition shewn to prevent the exercise of this discretionary power upon all occasions, which appear to require it; if there be no intention in any quarter either to abridge that power, or to enforce more severely the responsibility attached to the exercise of it, there can be no necessity for the bill now before us. There can be nothing like a necessity for an act to provide for the doing of that which perpetually has been done, and as constantly sanctioned whenever the occasion for it has occurred.

My honourable and learned friend (Mr. Perceval), is stated by the h nourable and learned gentleman to have admitted (and as a general truth it undoubtedly must be admitted) that when a necessity is so constant, and so urgent that you cannot escape out of it, you should endeavour to provide some permanent remedy applicable to the continuance of such necessity; and the honourable and learned gentleman triumphs in this admission. But where is the ground for that triumph? The admission concedes nothing. My honourable friend says, that where the ne-

inconvenience to any individuals, and with the least possible risque to the public interest, you refuse to enter upon it; you wait until an application shall come to you from the West Indies, accompanied perhaps with an assurance that the colonies are starving, that an insurrection is apprehended every hour, that immediate instantaneous relief can alone avert a public calamity, that is the opportunity which you will take for hearing the ship-owners expatiate on the nature of the trade, and on the possibility of going from hence with provisions to the West Indies: that, it seems, will be the time for going into the investigation of the whole matter, into a discussion of the best means for regulating the whole system of supplying the West India colonies, by means of British shipping; then it is that the season will arrive for hearing counsel, and collecting evidence, and balancing the advantages and disadvantages of adhering to, or relaxing the navigation laws. Ministers, undoubtedly, will enter into this cool deliberate discussion with great advantage, under the pressure of a sudden and immediate necessity, when the colonies are starving! Undoubtedly the ship-owners will then be entitled to a favourable hearing, when the question is not (as now) one of general prospective policy: but simply, whether the governors of the West India islands, under the stimulus of immediate want, shall be permitted to let in supplies from America! Why, Sir, to say to gentlemen who use this argument, that there is nothing in it, to expose to them the fallacy of it, I am sure is needless; they know it is fallacious, they know it full well; but they want to evade the present proposed enquiry; and they hold out to the ship-owners and merchants, whose interests are to be sacrificed by this bill, a prospect of indulgence, to be granted to them hereafter, at a moment when they know that the necessity will be so urgent as to preclude the possibility of deliberate investigation. One main proposition upon which this bill is to be supported is, though not in terms, in substance this; that an urgent, local necessity can be judged of by those who are at a distance, better than by those who are on the spot. I ask, whether it can be necessary to do more, than state this proposition, in order to shew its absurdity? But even this absurdity is only subsidiary to that other of which we have been speaking, the notion that the ship-owners will be heard to most advantage when the necessities of the West Indies are immediately

diately under discussion before the privy council. It is plain, that if you hear the ship-owners now, your whole policy may be governed by their statements; you will learn from them what they can do upon proper encouragement, what means they possess if it should be thought fit to bring them into activity, for meeting the necessities of the plantations. If they can shew that their means are equal to those necessities, or can be made so, then this bill is wholly unnecessary; if they can do so only to a partial extent, then the bill would require modifications conformable and commensurate to that extent. It may be said, no doubt, that the prospect of commercial gain may lead men to promise more than they can perform; but it is true, on the other hand, that it must operate as an encouragement to them to do all they can: whereas the passing this bill, which will put an end at once to all hope of employment, will slacken their exertions, and diminish their enterprize to such a degree, that if they should be called hereafter before the privy council to make their offer to carry on this trade, they must come there not only with abated ardour, but with their general capacity for the purpose considerably impaired; so that by this bill we shall then have lost what can never be recovered. But neither is this the extent of the absurdity: ministers will not hear now what the ship-owners have to say upon the general state of the British shipping, by the comparison of which, with the general amount of the demands of the West India colonies, they might be enabled to draw their own conclusions as to the general policy which they ought to adopt. They will examine the ship-owners from time to time, on the spur of each particular necessity. In the name of God, what can the ship-owners know more than I or any other member of this House may know of the state of things in the West India colonies, at any particular moment, when application is made for relief from a sudden pressure? Or what probability is there, that called upon, on a sudden, after years of neglect and depression, they will be prepared to come forward to meet the necessity of the moment? So that now, when you might avail yourselves of the unbiassed intelligence of these gentlemen, when their patriotism and adventurous spirit might be called into action for the service of the state, you will have nothing to do with them; and when that spirit is enfeebled by disuse, or soured by discouragement, and when the points under your enquiry will

be confined simply to the existence or degree of a particular necessity in the West Indies, upon which their testimony can be good for nothing, then you propose to call them before you for examination, and to require from them exertions which you will previously have disabled them from making. But we are told there is a more simple, as well as a more constitutional view in which this matter is to be looked at, and this proceeding recommended. It is said—"that we have been under the necessity of subscribing to "the repeated violations of a law, and that it is more pru-"dent, as well as more constitutional, to provide by legal "means for a necessity which we cannot obviate." The objection to this proposition is that it assumes too much—for it assumes that you cannot at any time supply your colonies: it is indeed stated to have been proved by the practice of thirteen years, that we cannot supply our colonies; it is stated as a cheering piece of intelligence to the people of England, that they cannot supply their colonies; it is stated to the ship-owners, that they cannot, and shall not, even be permitted to try what they can do towards effecting that object. The honourable and learned gentleman, the attorney general, exults and triumphs in the supposed truth, that we cannot supply our colonies. I presume the honourable and learned gentleman cannot mean to say that we ought not to be desirous of doing so if we had the power. He cannot mean to deny, in one instance, that which is the fundamental law of every country, admitted to be so in all books, and in all writings of all authors on the law of nations; never known to be contradicted by any rule adopted by any nation in the whole history of the world; namely, that a nation possessing colonies has a right to reserve to itself the exclusive trade with such colonies. This is a principle which it would be at least desirable to have observed between this country and the West Indies: whether it can be so or not in every instance, is the question which is now in agitation, but I own it was to me matter of some surprize, that the attorney general of Great Britain should appear to think it matter of triumph and exultation, that the united efforts of Great Britain and the British American colonies should not be equal to the constant necessary supply of the West India islands. The learned gentleman, however, seems to imagine that all mankind have uniformly acquiesced in his doctrine, for that no endeavour has ever been made to prevent this practice

tice of supplying the wants of the colonies from America, instead of supplying them from Great Britain, and he particularly points this observation at the conduct of my right honourable friend (Mr. Rose) who he says was in office twenty-two years without making any attempt to alter the practice of suspending the navigation laws, and he especially blames my right honourable friend for not having made such an attempt towards the conclusion of the late war. First, as to the fact.—It is well known, though the honourable and learned gentleman chooses to appear to forget it, that my right honourable friend (Mr. Rose) was out of office a considerable time before the end of the last war, and before the experiment which he now recommends to this House, of trying what we may do by British shipping alone, could have been tried. It is worthy of remark, also, that my right honourable friend, while in office, during the late war, was in a situation which gave him no power over measures of this nature, and it is fit that the honourable and learned gentleman should be informed, that no sooner did my right honourable friend return to office, and become vice-president of the board of trade (in which situation he has rendered his country so much service) than he did take up the consideration of this subject, and before he had been many days in office, did make an effort to discontinue the practice which both he and myself are now opposing. But whatever he did for this purpose, the present bill unquestionably is intended to destroy. The honourable and learned gentleman is, therefore, incorrect in his apprehension of the fact, when he supposes my right honourable friend to have made no effort, while in power, to discontinue the practice of thus suspending the navigation laws, for the enforcing of which he is now an advocate, and therefore I may without offence infer, that all the observations which the honourable and learned gentleman has made, and all the sarcasms which he has attempted on that part of the subject, are wholly unfounded. Something of the same kind, the honourable and learned gentleman insinuated against the honourable baronet, (Sir Charles Price) one of the members for the city of London: he has asked where that honourable member was when all these suspensions of the navigation laws took place, and when bills of indemnity were passed for those who advised such suspensions. This question can be answered, I believe, on behalf of the worthy baronet, as satisfactorily as it has been

on that of my right honourable friend. Surely it is in the recollection of those who are, or who ought to be, on the bench opposite to me, that that worthy baronet did call the attention of the House to the very subject which the learned gentleman has accused him of neglecting, and did more than once complain of the suspension of the navigation laws, and if I am not misinformed, he was prevented only by the promise of the government itself, to look seriously into the question, from making it the subject of a regular motion in this House. All that the learned gentleman has said, therefore, of the supposed acquiescence of those who oppose the present bill, and who support the interests of the ship-owners, all that part of the reasoning of the learned gentleman falls to the ground, because all the facts upon which his reasoning is founded, are removed from under him.

So much for the learned gentleman's facts. Now for the general policy which the learned gentleman recommends to us. He says that rather than violate a law frequently, you should enact another to make that violation legal. When you cannot enforce an act of parliament in its strictness, you should do what? pass another to amend and modify it? No, pass another that is a direct repeal and contradiction of it: when a law becomes difficult to be enforced to its full extent, when it becomes inconvenient, or troublesome, or distasteful to ministers, what is the natural course of a government, at least of an omnipotent government, such as this country is at present blessed with, a government which abhors detail, which scorns to descend into the little affairs and petty interests of any class of men; what but to abrogate it at once, and for that purpose to bring before Parliament one grand sweeping clause to do the whole away, without the difficulty of descending into particulars? this they are pleased to call revising the system of our laws; but one way of revising a system is to examine it, and one way of understanding a thing is to examine it with deliberation, and after having so done the result is what we call decision: in this case act with as much decision as you please; but what I ask of you is, that your decision should not precede enquiry, but what you do should be the result not of arbitrary will, but of well-considered information.

But the honourable and learned gentleman thinks that the navigation laws will be found inconvenient in some particular instances, or incompatible with the extent of empire

empire which we enjoy; but must these laws be altogether repealed because they may be found inconvenient in some particulars? I trust not. Do I mean to say, therefore, that it is better that our colonies in the West Indies should starve than our navigation laws should be made to give way? Nothing of the kind. I do mean to say, that there are means of moderating the rigour of these laws, and that like any other laws they may even be suspended in cases of absolute necessity; and I say too, that notwithstanding this same experience of thirteen years, I am persuaded there are, or may be, means of supplying the colonies from this country in a manner nearly, if not entirely, adequate to their necessities; and I contend, that it would be extremely rash to suspend an entire system, because in some few instances you find that it cannot be enforced to its utmost rigour: revise the system, if you will; but in that case what I contend is, that you ought to receive information upon the subject before you proceed upon your legislative enactments.

But it seems the responsibility of these suspensions of the law of navigation is not to be abandoned any longer to the governors of the islands, but is to be transferred to the great and wise men at home who constitute his Majesty's present ministry. Now I beg the House to consider of this responsibility. At present the governors of the colonies are left to act according to their discretion upon a view of local circumstances, of which they have perfect knowledge. They are bound to prove that they have acted under such circumstances with a sound discretion; and upon this proof they are indemnified: a rational responsibility, inasmuch as it attaches to those who have the means of knowing precisely what they do. The alteration proposed upon this system is, to take the whole power and discretion out of the hands of those who alone can have any knowledge how it ought to be exercised, and whose conduct Parliament is necessarily to review, (for their conduct is of course brought under the view of Parliament the very next session) and to put it into the hands of those who can have no knowledge whatever of any of the local circumstances by which discretion may be guided; who are subject indeed to a responsibility, but a responsibility of a very different nature, one which never can be enforced except in such momentous cases as may compel Parliament to call great ministers of state to an account for high misconduct, a very cumbrous process, and one which is never resorted to except

cept in extreme cases. I would ask, therefore, is it advisable to take away the responsibility of those whose conduct must come under the revision of Parliament every session, and to fix it upon those whose conduct you can never examine without grave suspicion of criminality? In fact, upon a subject like this it would never be examined at all.

But as we are speaking of the discretion to be intrusted to ministers, let us see how that discretion has been already used on this very subject. We find on the second of April, while this bill was only in contemplation, but before it had been mentioned to Parliament, his Majesty's secretary of state for the colonies thinks fit to write to the governors of the West India islands, not to exhort them to take care how they exercise their power, not to say that they will be held to their responsibility if they should in any instance relax the navigation laws unnecessarily; but he sends out to the governors of the West Indies one general sweeping direction to suspend the navigation laws during the present war, during the whole war, without any qualification whatever! a most unusual, and, I will say, a most unjustifiable exercise of authority; and with a confident anticipation of the decisions of this House, he adds, that the ministers will take care that the usual indemnity shall be provided! (*hear, hear, hear*, from several parts of the House.) This is before the act of Parliament has passed. The ministers assure the governors of the West Indies they will take care that Parliament shall pass an act according to what they consider *the usage of Parliament*. Now I do say, that no person whatever is entitled to write in this manner prospectively of what Parliament will do: "an act of Parliament *shall* pass according to the *usage* of Parliament." I should be glad to know by what usage of Parliament any one of the King's servants at home can tell the King's servants abroad that Parliament shall pass an indemnity for an act which when ordered to be done was against law. I must say, that it is a most extraordinary and indecent exercise of ministerial power. But have we any better security for the safety of our colonies by shifting the responsibility from the governors of the islands to the ministers at home? Is it not obvious that the evil of the discretionary power must be increased? I will suppose the case of a representation coming over from the West Indies, in which it should be stated that there was an absolute necessity for a certain immediate supply; suppose the ship-owners, on being heard,

heard, were to persuade government that they would supply the wants of the islands, and that government, yielding to their suggestions, send out an order to the West Indies against opening the ports; suppose that before the supplies could arrive from hence the inhabitants of the colonies were starving; I trust that the rigour of that order would not be obeyed by the governor of any one of the islands in such a case; but that every one of them would consider it as his duty to his Sovereign and to his country to disobey it; but if he adhered to that order he could not be called to an account, for under the authority of this bill there is no discretion left to him. Surely this is putting the governors in the most painful situation, a situation unjust in the extreme, at the same time that it exposes the colonies to unnecessary hazard. So much for future discretion and responsibility: at present, I defy you to call any governor whatever to account for any the most wanton suspension of the navigation laws. The sweeping authority which the right honourable secretary of state, Mr. Windham, has sent to the colonies, provides for the suspension of the whole of the navigation laws during the whole continuance of the war. Such is the foretaste which ministers have given us of the use which they will make of the discretionary power which they require at our hands. We are now called upon to sanction the right honourable gentleman's letter, by enacting the substance of it into a law. For one, I cannot consent to do so; nor can I hesitate in saying that ministers ought to take more care than they have done in this instance that their own acts are right, before they make them the foundation of any legislative measure.

At all times, and under all circumstances, the multiplying laws unnecessarily is a great evil. I think it is not contended on the other side of the House that there is that urgent practical necessity for the passing of this bill, which would make you overlook all other political considerations; what you now propose to have an act of Parliament for doing may be done at any time without an act of Parliament, if necessary to be done at all. If there be no instant and urgent call upon you, it is clear that you ought not to adopt such a measure without inquiry; go into that inquiry you will find the measure unnecessary altogether: we are not now providing for the urgent and immediate supply of the islands, that is secure. The principle on which

which any permanent provision on so important a subject should be founded is surely matter fit for the gravest deliberation of Parliament; and I would venture to ask whether, before coming to a decision on such a subject, it does not become Parliament to consider the political state of the world, to consider in what way the adoption of a permanent measure of this kind may bear upon any points which are or may be in discussion between us and America; and how far the government of America, or at least considerable parties and leading individuals there, whose sentiments towards this country are avowedly of the most hostile nature, may be likely to consider the passing of this bill as a concession on the part of this country.

The honourable and learned gentleman who spoke last professes to be acquainted in a peculiar degree with the manner in which the trade is carried on between America and our West India colonies. He has stated that no articles of any kind but lumber and provisions are imported from America to those colonies; but I understand that, in point of fact, other articles, such as soap, candles, leather, and other manufactured articles, do find their way from America into the West Indies; and if so, if they do now find their way before the passing of this bill, they will afterwards find their way still more, for this bill, whatever prohibitions you may insert in it, will obviously facilitate the intercourse; the trading, in the first instance, will be general, and you will be left to take care of your exceptions in each particular instance. Thus you will be giving to America a very great boon, not only to the extent which you admit, but much beyond it; it will be impossible to prevent many things from being done under colour of this act which cannot be done at present: and if you do in fact give such a boon, it is idle to pretend ignorance or indifference about it: either you mean it, or you do not; if not, why pass the bill at all? our colonies can get what they want without it. If you intend to gratify America, how does she receive it? as a favour for which she is thankful? or as a concession which she claims?

It is notorious that there are points of great delicacy in discussion with America. I do not wish to give or to ask any opinion upon them; but I must ask the right honourable secretary (Mr. Fox) whether he is already so weary of the approbation and applause which he received for his conduct in the dispute with Prussia, that he cannot persuade

suade himself to act in the same spirit towards America? I know he will tell me that this act has no direct reference to America, that America is no party to it. But however that may be, it is no less true, that considerable advantages are afforded by it to America, and that by this measure you may embarrass yourselves in the consideration of any treaty you may have to enter into with that country. Suppose you should hereafter wish to repeal this bill at a time when America might be again, as she is now, in a state of ferment with regard to this country, would not they think the repeal of a law so beneficial to their commerce a measure so injurious, that the continuance of it may perhaps be made the price at which the friendship of America is to be purchased? and they will not be without arguments to sustain their claim: "Was not the law necessary to your own convenience, they may say, and founded on the experience of thirteen or fourteen years before it was adopted? Did you not upon deliberation adopt it as a measure of state policy? Did not we receive it as a measure of conciliation? Why, when the same reasons are still in force, should it be discontinued, unless as an indication of hostility to us?" Such may be at some future and perhaps no distant time the language of America. Do I therefore say that all concession is in its nature necessarily bad? No, I do not; but I do say, that concession may be good or bad according to the circumstances of the time in which it is made; and I do further say, that a worse moment for this country to make any concession to America could not be chosen. What greater sacrifices could any country, friend or foe, expect from you than this which you are now about to make to America? Has France, has even France with all the extravagance of her pretensions, ever been bold enough to ask you to suspend your navigation laws? I do not say that America asks you to do so; but I do say, that in the situation in which you stand you ought to take care to be above even the suspicion of an undue compliance. This measure, on the face of it, carries the appearance of a concession at a moment wherein it is your duty to stand upon your rights; it is at least liable to this construction, and if you pass it at the present moment it will be so thought of in America. Once again, where is the necessity for this measure? Cannot our West India plantations be supplied with every thing they want without it? Will they not be supplied exactly in the same manner whether this bill passes or not? If there is no

necessity for it, think of the danger there is in passing this bill into a law, not only on account of the injury you sustain by the suspension of your navigation laws, while that suspension continues, but also because you will by such a suspension as this bill provides, make it difficult, if not impossible, to revert to your former system. It is not denied that it is an evil to suspend the navigation laws; but the evil is in some degree unavoidable. Be it so; but why aggravate what you cannot altogether avoid? Why make that suspension permanent which when temporary and occasional has fully answered every purpose? You say, you are only doing what has been already done for many years, that you only mean to do the same thing in a different manner. You may mean what you will; but certainly the effect of your bill will be to suspend permanently laws which have hitherto only been suspended temporarily, to take responsibility from those who acted from knowledge of the necessity of each particular case, and rendered an annual account of each act of discretion, and to place it in the hands of others who already have shewn us what an extravagant use they mean to make, and how little account they propose to render of it, who have already anticipated for the whole of the war the existence of a necessity, which has hitherto been ascertained annually, and never acted upon until ascertained.

And you do this at a time and under circumstances which induce inevitably the suspicion that while you are thus sacrificing the leading principles of your navigation system, as well as the interests of that class of men, by encouraging whom you would encourage the maritime power of the country, you are making this sacrifice to a foreign power at present no way favourably disposed to you, and in whom the appearance of concession is likely to beget an increased spirit of encroachment: and all this you are doing rashly and precipitately, shutting your eyes against the facts which are offered to be proved to you, and relegating the evidence of those best capable of giving you information, to a period when it can neither be received with the same confidence, nor listened to with the same effect, when the mischief will have been incurred, and when the means of remedying it will be incalculably diminished.

This is the way in which you are passing this most unnecessary and mischievous bill; these are the pretexts on which you endeavour to recommend it to this House; these

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are the dangers to which it will expose you; these are the evils which it will produce. I think it likely to be fatal to the best interests of the country, and therefore I shall give it my decided opposition.

Dr. Laurence observed that the gentlemen who said any thing against this bill, seemed to found their opinions entirely on a fallacy; they spoke as if they considered that a system, which in fact was nothing more than a provisional regulation for the benefit of our shipping, and for the occasional supply of our colonies. These gentlemen, however, who were so extremely tender about the navigation laws, and who were so constantly in the habit of extolling the great virtues of the right honourable gentleman (Mr. Pitt) who is now no more, did not seem to recollect any thing about the Dutch property act that was passed during the administration of that gentleman. When it was apprehended that Holland was about to be annexed to France, at first an order in council was passed, permitting the landing of Dutch property in this country from neutral vessels. This practice was afterwards by a positive law extended, and was in that extended state continued for upwards of four years, to the total ruin of our navigation laws. Let those gentlemen then triumph in their long experience in that administration; but let them not at the same time affect a tenderness about our navigation laws.

Sir John Newport rose, merely to state the effect that the proposed regulation had produced in Ireland. The persons concerned in the provision trade, instead of supposing themselves at all injured by this bill, considered that it would promote the export of provisions from that country. They considered that it would be much safer to embark in the trade of supplying the West Indies with provisions, when the discretion was in the privy-council, than formerly when it was vested in the governors of the islands. At the same time they had now sufficient notice, that if they were not able to supply the markets, the ports would be open to the American vessels. He felt a considerable degree of surprise at finding that this bill was opposed by the shipowners, as it appeared to him that it was much more to their advantage, that the discretion which must rest somewhere, should remain with the privy-council, than that it should be given to the governors of the islands, who sometimes might be supposed to act capriciously, and from the influence of the planters. In letting this discretion remain with

the privy-council, the decision was brought to their own door. As to the provision trade, when the letter had been so much dwelt upon, the gentlemen on the other side should also have considered the bounties that were given on exportation from our colonies, and the pains that were taken to give this country and its colonies every advantage in supplying the West India market. He could declare most positively, and he could bring documents to prove it, that when the persons concerned in the provision trade in Ireland had been applied to upon this subject, their answer was, that they would embark in the trade with much greater confidence and spirit, when they knew that it would be governed by a fixed rule, laid down by the privy-council, than they would have done when the discretion remained entirely with the governors of the islands, and when they were not sure but that on the arrival of their provisions some arbitrary and capricious order might, by giving an advantage to the Americans, prevent the sale of them. He concluded by declaring, that this measure had given more satisfaction to the Irish merchants concerned in the provision trade, than all the measures which the boasted experience of the gentlemen on the other side of the House could in twenty years enable them to suggest.

The House then divided,

Against the amendment, - - -	112
For it, - - - - - - - - - -	54
Majority, -	58

The bill was afterwards read a second time, and ordered to be committed on Friday.

The other orders of the House were then disposed of.

Adjourned.

HOUSE OF LORDS.

WEDNESDAY, JUNE 18.

Lord Granard took the oaths and his seat.

Mr. Alexander and several other members of the House of Commons brought up the West India auditors' bill, and several private bills, which were read a first time.

The Chelsea allowance bill was read a third time and passed, and a message sent to the House of Commons to acquaint them therewith.

Strangers

Strangers were for some time excluded, while the House discussed some matter of privilege.

ADMINISTRATION OF JUSTICE IN SCOTLAND.

Lord Grenville moved that the House should resolve itself into a committee to consider the administration of civil justice in Scotland.

The House having resolved itself into a committee,

Lord Grenville said no man could more deeply feel the importance and difficulty of any subject than he did that upon which he now rose to address their lordships. Feeling, however, as he did, all the difficulty of the subject, he felt it at the same time to be his duty, after fully and maturely considering it, to submit certain propositions to their lordships, the objects of which were to remove evils and inconveniences which had arisen to a great height, and which loudly demanded a remedy. His attention had been called to the number of appeals in that House, particularly from Scotland, which had increased to such an extent, that their accumulation, and the consequent great delay in their decision, became a most serious evil to suitors in that high court, and was disreputable to its jurisdiction. In considering this subject, his attention was naturally turned to the court of session in Scotland, from whence so many of these appeals came, and there he found also that the business had accumulated to an extent which produced the most material evils to the suitors, from the unavoidable delay which occurred in deciding causes. It would be a superfluous waste of their lordships' time to enter into a history of the court of session; it would be sufficient to observe, that, by the act of union, it was declared to be the court for deciding causes in Scotland, and from which an appeal only lay to the House of Lords. It was evident, therefore, that no other court could be established for this purpose, without a breach of the act of union. There were, however, means of altering the frame and constitution of this court, by which, as he conceived, civil justice might be better and more speedily administered. The court at present consisted of fifteen judges. He did not mean, and he trusted he should not be understood to mean, to throw the slightest reflection upon any of the learned judges of that court; but it was his opinion, and it was the opinion of many persons of great experience and knowledge of the laws, that speaking generally justice was bet-

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ter administered in a court, where the judges were only three or four in number, than where they consisted of a greater number. There were many reasons, which would naturally occur to their lordships, why this must necessarily be the case. It was also of the highest importance that the conduct of judges in their respective courts should, as in this part of the united kingdom, be open to the world; that they should deliver their opinions in the face of an enlightened bar, from whence they would soon become subjects of public discussion; and then the slightest error (for judges were fallible as well as other men) would very soon be corrected. A great advantage likewise arose from all the judges of a court hearing the arguments of counsel in the cause on which they were to decide, and their being enabled to form their opinion with as little delay as possible. In the court of session all the legal arguments, as well as the proceedings, were delivered in writing, a course of practice which necessarily consumed much time in the deliberations of the judges; and after each had examined the written documents, unless they were unanimous, a circumstance, which, perhaps, where there were so many judges, could not be expected often to happen, another delay arose from their delivering their opinions *seriatim*. With this view of the subject a plan had been framed for the purpose of obviating some of the inconveniences resulting from the constitution of the court of session, and the forms of its proceeding. It was proposed to divide the court into chambers, the number to be hereafter fixed; his opinion inclined to three chambers, as more likely to answer the purpose of speedily administering justice than two; whilst in the latter case the objection to a great number of judges in one court would still operate considerably, though not with such great force. These chambers, he proposed, should decide respectively upon the same description of causes, without allotting any exclusive jurisdiction to either. The courts here, which had originally each a separate jurisdiction over a distinct class of causes, had become by long usage equal in jurisdiction with respect to all causes, with some exceptions; and this practice, which had grown up contrary to the original intention of these courts, was found to be infinitely more convenient than the original principle of separate jurisdiction. Individuals being thus enabled to carry causes into either of the courts, at their option, public opinion in the increase

increase of business, and one court over another, would soon indicate the motives of the preference, and point out whatever slight cause there might be for the decrease of business in the other; thus leading to an uniformity of decision upon legal points, which could not be the case if each court had a separate jurisdiction over a certain description of causes. It was proposed, therefore, that parties should have an option of bringing their suits before either of those chambers, and that where there was a previous hearing before the lord ordinary, that the cause should belong to the chamber of which the lord ordinary was a member. It was also proposed that the lord president of the court of session should preside over one of the chambers, and that his Majesty should be empowered to appoint judges of the court to preside over the chambers, such presidents holding their offices like the other judges during good behaviour. The next great object which he had in view was the introduction of trial by jury in civil causes into Scotland. For him speaking with the experience of an Englishman, and in a British legislature, to attempt to advocate the trial by jury, the benefits resulting from which were so well known and so justly appreciated, would appear a very superfluous waste of time. This mode of trial had not, however, for a long time been used in Scotland in civil cases, although it had formerly been practised in that country, and the greatest advantages would result from its re-introduction. At present, from the mode of proceeding it was frequently impossible to give a correct decision upon a fact. He proposed, therefore, that the proceedings should be put into that form in which as in England an issue might be joined, that the pursuer should state distinctly the facts which he alleged, that the defender should either distinctly admit or deny those alleged facts in whole or in part, and that thus issue being joined on the record, it should be in the power of the chamber in possession of the cause, at the request of either party, to direct a trial by jury on this issue of fact; that the chamber might also, without being applied to by either party, direct such trial by jury, and might also remit the cause to the circuit, to be there tried by a jury. There were inferior courts, such as those of the sheriffs and bailies, where the expence of a trial by jury might be much greater than the value of the object in dispute; he thought that it would be advisable, therefore, only to allow of a trial

trial by jury, in those cases where it was directed by one of the chambers, on application of either of the parties. It would also be necessary to give a power of appealing to the decision of the chamber directing the trial by jury, in cases of misdirection of the judge to the jury, or where the verdict was given in contradiction to evidence. In this way he conceived that the introduction of the trial by jury into civil cases in Scotland, would be productive of the most important advantages. The third head of the plan related to appeals, with respect to which it was proposed, that there should be an immediate court of review between the chambers and the House of Lords; still, however, not in any degree violating the act of union, by trenching upon the jurisdiction of the court of session. It was proposed that an appeal should lie from each of the chambers to the court of review, which should consist of all the lords of the court of session, except those of the chamber in which the decision appealed against should be made; that an appeal should lie to the court of session, without the necessity of going through the intermediate forms now used, of bills of advocation and suspension. That the court of review should proceed with printed cases, and hear counsel in the same manner as in appeals in the House of Lords; that an appeal should ultimately lie from this court of review to the House of Lords, but from no other court; and that such appeals should be only against final judgment, and not against interlocutory judgment. It was also proposed, that, in order to prevent frivolous and vexatious appeals, that the House should have the power of awarding costs to a much greater extent than at present. It was, too, notorious, that many appeals were brought to that House without any hope of ultimate success, but merely with a view of gaining a certain advantage from suspending for a time the execution of the judgment given in the court below. This advantage might, in some cases, overbalance any consideration of costs which could possibly be awarded against an appellant; he had, therefore, framed a resolution, but he had at present so much doubt about it, that he would not propose it among the other resolutions; the object of which, however, was, that in cases where, notwithstanding execution being issued on the judgment in the court below, the appellant might, nevertheless, in the event of a reversal of the judgment, be placed in the same situation

tion as if such execution had never issued; that then the court below should certify to that House; and that, in such case, the House should be empowered to order execution to issue on the judgment of such court pending the appeal. This, however, was entirely a new measure, and not standing on the same solid grounds of English experience which the other parts of the plan did, and therefore he would take further time to consider of it. One point of detail he would first mention—it was proposed to abolish, or at least to limit, as much as possible, extraction of records, documents, &c. in causes, in Scotland, which had grown into a great abuse, volumes being thus frequently made up in one cause, the expence of extracting which alone amounted to more than the value of the object in dispute. It was proposed, therefore, to confine this system of extracting to a mere exemplification of the record, the pleadings, and the interlocutors. He was aware, that, in carrying into execution a detailed system, like the present, there were many persons whose interests might be injured, and not merely interests, but whose just rights or just expectations founded upon previous study and application, with a view to particular departments, might be injured. If the proposed plan should be carried into execution, and any such instances of loss or injury should arise, he had no doubt that the justice of Parliament would award a proper compensation; with one other point also, he would trouble their lordships: it was necessary that there should be some means of preventing an aged and infirm judge from being reduced to the painful necessity of retiring with old age into poverty; or of continuing to exercise those duties for which corporeal and perhaps mental infirmity had rendered him in a great measure incapable; a provision of this kind existed in England, and he thought ought to be extended to Scotland. He had now gone through the whole of the proposed plan, which, if it did not go so far as some might wish, rested, so far as it went, upon solid grounds of experience in this part of the united kingdom. He thought it would be highly advantageous, if the practice of hearing counsel intended to be introduced into the court of review was introduced into all the Scottish courts. He would not go, however, thus far at present, and would rather prefer that the present plan should be first tried. He wished that the whole plan should undergo the most deliberate investigation, and that it

should be thoroughly and maturely considered by those who were best enabled to form a judgment as to its merits, or give information upon the subject. He wished also that their lordships should have full time to consider the subject maturely, and with all the new light that could possibly be thrown upon it. With that view, it was his intention to propose a number of resolutions, which, after they had passed through the committee, it was his intention should be printed; he would then move that the consideration of the subject should be postponed till a day when it was likely Parliament would not sit, in order that the final discussion upon them might be postponed till next session. His lordship concluded by moving a number of resolutions in conformity with the objects proposed in his speech.

Lord Hawkesbury stated, that this subject had been under the consideration of the late ministry, who had taken steps for the purpose of obtaining every possible information respecting it, with the view of afterwards bringing it before Parliament. Upon his present view of the subject, he concurred with the noble lord in most of his propositions; he thought the division of the court of session into three courts would be much preferable to two, but doubted the propriety of excluding from the court of review the judges of the chamber, whose decision was appealed against.

The Duke of Montrose also highly approved in general of the plan brought forward by the noble lord, but doubted whether there might not sometimes be local obstacles to trial by jury in civil cases in Scotland.

The Lord Chancellor also warmly expressed his approbation of the proposed plan, the carrying which into effect would, he thought, be productive of the greatest advantages to Scotland.

The resolutions were agreed to. The House having resumed, adjourned.

HOUSE OF COMMONS.

WEDNESDAY, JUNE 18.

The order of the day for the House going into a committee on the assessed taxes bill being read,

Mr. Vansittart moved, that it be an instruction to the committee

committee that they have power to divide the bill into two. Ordered.

In the committee this resolution was agreed to, both bills were reported, ordered to be taken into farther consideration on Friday; and to be printed as amended.

Sir J. Sinclair obtained leave to bring in a bill for altering and amending the acts of the 28th and 50th of the king regulating the number of passengers to be carried on the outside of coaches.

On the motion of Mr. Windham. the Lords' amendments to the mutiny bill were taken into consideration and agreed to.

Sir J. Newport brought up the Irish endowed schools bill, which was read a first, and ordered to be read a second time on Friday.

The thread lace bill went through a committee, and was ordered to be reported the next day.

A message was received from the Lords stating that their lordships had agreed to the Irish malt and spirit duty bill, the Dublin paving bill, &c.

The Gibraltar and Malta postage bill went through a committee, and was ordered to be reported the next day.

The Irish import and export consolidation bill was read a second time, and ordered to be committed the next day.

The Irish mine bill went through a committee, and was ordered to be reported the next day.

Mr. Vansittart gave notice, that in the committee of supply on Friday, the army extraordinaries should be moved for.

The customs fees bill was reported, and ordered to be taken into further consideration the next day.

The Prussian yarn bill was reported, and ordered to be taken into further consideration the next day.

Mr. Bastard moved for copies of all orders and regulations relative to yeomanry, cavalry and volunteers, issued by the Secretary of State or Secretary at War, since the 1st February, 1806.—Ordered.

Lord Folkstone stated that it would be in the recollection of the House that the sum of 40,000*l.* had been voted by them for paying the debts of the late Chancellor of the Exchequer. Among the sums voted by parliament, and unprovided for, since ordered to be laid before the House, he observed mention of the sum of 41,010*l.* paid to John Earl of Chatham, and George Bishop of Lincoln. He

felt at a loss how to get at the fact of this appropriation of the public money, but he believed the best mode for him to pursue would be, to move, that there be laid before the House a copy of the order for paying to John, Earl of Chatham, and George, Bishop of London, the sum of 41,010*l.*—Ordered.

MARQUIS WELLESLEY.

Earl Temple having moved the order of the day for taking the charge against the Marquis Wellesley relative to the Nabob of Oude into consideration,

Mr. Paull was about to move that witnesses be called in, when

The Speaker informed him that the first question was that the charge be now taken into consideration.

The question being put,

Mr. Bankes, in pursuance of the intimation he had given the preceding day, rose to oppose the motion, and to state the reasons which induced him to think the House should proceed no further in this business, but dismiss it entirely from their consideration; in which he did not think it would be necessary for him to do more than to shew the House that the legislature had already provided another and a more eligible mode of proceeding before a different tribunal. The tribunal to which he alluded, was that established by an act of Parliament passed in 1784, for the special trial of crimes committed in India. He by no means denied the inquisitorial power of the House of Commons; on the contrary, he wished to speak of it always with the highest respect, and to acknowledge that in many instances it had been productive of the best consequences. But the power, like many other of its rights and privileges, should be used with sound discretion; for there were cases of such a nature, as it would be extremely unwise and injudicious to bring before the House; and those were cases in a considerable degree analogous to the present. It was a case not less complicated than that which with so little success, and so little honour to the House of Commons, by whom it was urged forward, or that tribunal before which it was tried, had occupied the attention of Parliament for seven successive sessions. The subject now before the House was no less than that of the revenues, and other political affairs of Oude, for a period of near forty years; and in a more especial degree, during a

period of five years that Marquis Wellesley had been chief governor in India. The honourable member who brought forward these charges accused the noble marquis of a criminal interference in the affairs and government of the nabob of Oude; of having violated the independence guaranteed by treaty; of having wrested from the nabob one-half of his territory; and of having excited his subjects to rebellion, and then having recourse to arms to restore tranquillity. In support of this charge, a most voluminous mass of written documents had been laid on the table, and a considerable body of oral evidence was now, he understood, in waiting, for the purpose of being called in and heard. So voluminous was the mass of documents produced, that it was impossible for the House to have made the due use of them. The farther the subject was contemplated, the larger and more complicated did it appear. The House would therefore see it was a cause at once too extensive, too abstruse, too intricate, and too hard for them to decide upon; and he doubted not that they would perceive the propriety of dismissing it without consideration, or giving any opinion upon it; for whatever might be the innocence of the noble lord in question, and though the proceedings in the way of investigation by this House, with a view to subsequent impeachment, might not bring home to him any punishment, yet it was obvious from experience, it might produce to him much embarrassment and vexation. In the case of Mr. Hastings, though after a tedious progress of seven sessions, he was finally acquitted, yet the trial brought ruin upon his fortune, and inflicted the most grievous inquietude upon his mind; and therefore of all tribunals he should avoid that the most where the guilty had so little and the innocent so much to dread. Besides it was utterly impossible that the individual members of that House, respectively, could have had time, consistently with their other avocations, to pay the particular attention necessary to every part of the evidence laid before them upon this case, to enable them to consider it with the minuteness necessary to warrant a solemn decision, as it would be the duty of a jury to do, before another tribunal. And with respect to impartiality, perhaps it would not be deemed altogether unjust to infer, that some share of party feeling on the subject might have its weight in the deliberation, which of all others should be the most free and unbiassed. There were certainly

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cases on which the House might feel itself pressed to some decision: but if ever there was a case on which it was desirable the House should not assume a jurisdiction, this was that one. The act to which he had alluded as providing specially for the trial of offences committed in India, passed in 1784, required that application should be made by the party accusing to the Court of King's Bench in the first instance, stating the nature of the accusation: and if the Court of King's Bench should *prima facie* deem the charge such as was worthy of serious trial, then it had power to direct that a tribunal be constituted, consisting of a certain number of members from each House of Parliament, and one judge from each of the three courts of Westminster Hall, one of whom at least should always preside at the sittings of such tribunal, before which any such accusation should be tried. Such a tribunal certainly must be much more competent in point of knowledge upon the subject, than any other which could be found. He had heard it said, that this act of Parliament was not intended to extend to crimes of this high political nature, but was confined in its operation to others of a quite different description; but he had some observations to offer to the consideration of the House, which must remove all doubts, and silence all objections upon this point, and prove the full competence of the tribunal to which he alluded, to try crimes of the present description. He mentioned the case of Mr. Holland, against whom charges were preferred by the crown, strictly of a political nature; such as, not marching troops with sufficient expedition against Tippoo Sultaun; not forwarding with sufficient promptitude dispatches from Tillicherry to Bombay, with an account of the hostilities which had broken out with Tippoo: and the whole of the charges, with but one or two exceptions, were of a similar nature, relating to the making of war, the marching of troops, &c. This cause had a final hearing in 1794: twelve of the counts out of nineteen were confirmed; and for the other seven, which had been rejected, a writ of error was brought in the Court of King's Bench to confirm them; but in the interim, Mr. Holland absconded with all his property. This instance, then, he hoped would prove the acknowledged competency of such a tribunal to try crimes of a high political nature. He had been told by some gentlemen that in the present case he had made his objection too late,

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and that the House having entertained the charge, was now indispensably bound to come to some decision upon it. To this he would answer, that he could not make his objection until he was aware of the full grounds and nature of the charge, which he could not be until it was laid upon the table, with the documents upon which it was founded; and this as the very first opportunity he had of making his objections since the charge and documents were completely before the House. Other members who had not read the documents so extensively as he had, might not be so fixed in their opinions as to the impropriety of entertaining a charge of this nature before either House of Parliament; however, he himself had let no time slip by him in making his objection upon the first fair opportunity that offered. The honourable member who brought forward this charge had an undoubted right to lay it upon the table, even though he stood entirely alone and unseconded. So far the House had entertained the charge, but no farther; they had founded upon it no proceeding, nor pledged themselves to any, and therefore could, with the utmost propriety, dismiss it. There were precedents in point upon the journals:—the cases, for instance, of Lord Cunninghame and Sir George Porter, in the reign of King William, and some others. On the part of the noble lord he was apprehensive that the dismissal would give him some pain, as it would look like refusing to hear the cause; but he could not think of violating an important public principle, in compliment to individual feelings, or give way to a mode of proceeding, which it was so desirable to avoid. It might be said, that misrepresentations had gone forth in print, and that documents had been printed by that House, in support of the charge, which rendered a speedy decision the more necessary; to which he had to answer, that documents equally strong, in refutation to those charges, had been also printed; and what right had the House to conclude that the public mind would only attend to the accusation, and reject the defence? For his own part he had studiously avoided, throughout the whole of his speech, any expression that could in the slightest degree mark the bias of his own opinion upon the truth or falsehood of the charge in question; but in case the House should be disposed to entertain the charge, and to go into the discussion, he saw no reason why they could not, instead of proceeding by

by way of impeachment, if they should deem any further proceeding necessary, direct the King's Attorney General to proceed in the manner pointed out by the acts of 1784 and 1786. The hon. member concluded by giving his negative to the motion for now proceeding to take the charge into consideration.

The Master of the Rolls observed, that the course which his honourable friend had proposed to the House to pursue, was certainly calculated to flatter their indolence: and, for his part, he should have been glad could it have been adopted with propriety. It would certainly relieve the House from a burden of which all must be sensible. But he thought that the principles and arguments of his hon. friend went too far, and would eventually trench upon those inquisitorial powers which belonged to the House, to enquire into charges of magnitude brought against persons of high dignity. In matters of this kind we must be content to follow the principles of our ancestors. His honourable friend had said, that impeachment should only be resorted to in cases of the last necessity. But it was by no means certain, this would proceed the length of impeachment. The charge alone was now proposed to be taken into consideration, and it would be afterwards for the House to decide, what course should be followed when that was gone through. With regard to the particular mode of trial which he recommended, it could not, from the instance which he had mentioned, be considered as likely to be very expeditious. In 1791, the information was filed against Mr. Holland, and it was not before 1794 that the Court of King's Bench had decided on the form of information to be laid before the tribunal to be appointed under the act. All the necessary subsequent proceedings upon this information were afterwards to take place. This mode, therefore, did not promise much more expedition, than that by impeachment. His honourable friend had stated a doubt, whether the present charge could be brought under the act in question. That act empowered the formation of a tribunal for the trial of extortion, and other misdemeanors; and it was rational to explain the general words, "other misdemeanors," as referring to offences of a similar or an inferior nature, since higher offences must have been specified in preference to those of a minor kind, had it been designed to include them. His honourable friend's doubt, therefore, appeared perfectly well founded, and he himself was convinced

vinced that the act had no reference to those higher political offences with which the noble lord was charged, and that therefore the trial of the charge could not be instituted under the act in question. It must be confessed, indeed, that the offences with which Mr. Holland was charged were of a political nature, and that the opinion of Lord Kenyon was of high authority, but still he might be permitted to doubt the interpretation which was then put upon the act. It appeared to him that the House could not drop their proceedings in the present instance. They had agreed to take the charge into consideration, and they could not pass from the vote they had already given. He wished that his honourable friend had offered his suggestion at an earlier period. For a whole year the subject had been before the House; papers had been moved for day after day, and the nature of the charge had been, in some measure, explained to the House. It was obvious that it related to the administration of the noble lord in India. When it was moved that the House should take the charge into consideration, then would have been the proper time for bringing forward the present motion. But now the House were in effect called upon to declare that they were in an error, and to say, that though they had resolved to take the charge into consideration, they would now give no opinion at all on the subject, nor come to any determination with regard to what should follow. It appeared to him that the present motion would do justice neither to the accuser nor the accused. Supposing the accuser to be actuated by malice, which he had no reason to presume, should the present motion be agreed to, he might congratulate himself on having gained his object, by exciting doubts in the public mind with regard to the conduct of the noble lord, and throwing a shade over his character which it might be difficult to remove. No opportunity would be given for the accused being heard in his own defence. The whole charge would be left to be discussed in a newspaper controversy, and such was certainly not the proper way for deciding it. Neither would justice be done to the accuser. After so long perplexing himself with papers and enquiry, after giving and taking so much trouble, it would not be fair to drop the matter at once, without coming to any determination upon it. But the House had already passed a resolution to take the charge into consideration. The matter might be postponed, but it could

not be relinquished. It did not appear that this business could occupy much of the time of the House. The papers on which the charge was founded had long been printed, and it would not be difficult for any gentleman to form an opinion on the subject. Should the motion be agreed to, the House would be considered as having, in some measure, relinquished its inquisitorial power, and as having declared itself inadequate to such enquiries. Such was the conclusion which he thought the public would naturally draw.

Mr. Fox then rose, and observed, that if there was a wish that one could entertain on the subject in preference to another, it must be to accede to the proposition of the honourable gentleman on the other side, not merely on account of the personal inconvenience with which a contrary mode of proceeding must be attended to individuals, and the labour to which it must subject them, but also on account of the great inconvenience which must thus be occasioned in conducting the public business of the House. Feeling as he did the importance of the latter consideration, he trusted the House would indulge him in saying a few words relative to the matter which now engaged their attention. Considering the embarrassment that must arise to the public business, if the affair was to go on in the usual way, he thought that it would be absolutely necessary to find out some mode of quickening the natural course of the proceedings. For if we were to proceed in the usual way, supposing that this oral evidence should last as long as it had done on former occasions, considering the time that must be spent in taking down the questions and the answers, it was impossible, unless the whole should be much shorter than any one could expect, that the matter could be brought to a conclusion this session of Parliament; when he said "impossible," he wished to explain precisely what he meant by that term. It was impossible, supposing that Parliament should sit only the usual time. He did not mean to state that ministers might not advise his Majesty to prolong the session, and keep the Parliament sitting, but it would be recollected that it was not in their power to compel an attendance, that is, such an attendance as the importance of the case would demand. It must be seen, therefore, that the House was placed in a very disagreeable situation, and that it must be the wish of every person to escape from the labour and burthen of this

enquiry,

enquiry, if it could be done with justice and propriety; not so much with a view to personal inconvenience, though that was something, as on account of the difficulties to which Parliament would be reduced, in managing the public business of the nation. Now, with that wish strongly impressed on his mind, he certainly assented to a great part of what the honourable gentleman had said. He having recognised the right which the House of Commons had to proceed by the way of impeachment; and not only this, but having also recognised the inquisitorial power of the House as the vital principle by which the members had acquired the power to sit there, and to watch over the liberties, rights and privileges of their constituents: having done all this, and indeed it was impossible for one so well versed in history and the principles of the constitution to do otherwise, he (Mr. Fox) certainly went with him a great way, and even agreed with him in many of the practical observations which he had made. He admitted the importance of the inquisitorial powers of this House, but he was at the same time convinced that it was one of those powers which were best exercised when they were rarely exercised. As to the position of the honourable gentleman, that it was a power which ought not to be exercised, except in cases of absolute necessity, he certainly could not go with him that far; taking necessity in the strict signification of the term, he admitted, however, that it ought not to be exercised, except in cases where honour rendered it necessary—that is, where no other mode of proceeding could be consistent with the honour of the crown, of the Parliament and the nation. He confessed that at first so much did he wish to accede to the proposition of the honourable gentleman, influenced by the difficulties of Parliament, and the arguments which the honourable gentleman had advanced, that he had been considering how far it was possible to support him. But there was one part of his argument in which the honourable gentleman had very materially failed, and that was where he spoke to the point of time. With respect to the time at which this proposition was made, he would go half way between the hon. gentleman and the learned gentleman near him (the Master of the Rolls) The latter had observed, that when you allowed voluminous papers to be laid on the table, and entertained the matter thus far, it was necessary that you should proceed farther. He could not

go with him thus far; for if in these papers nothing should be found which could form any ground of proceeding, then you might undoubtedly stop and say, that you would not advance any farther; or if you saw good cause to go on, then you had still to consider whether another mode than impeachment, less burthensome to the members of this House, more consistent with the proper management of the public business, and equally consistent with the interests of justice, and the honour of the Crown, the Parliament and the nation, might not be adopted. He could not therefore agree, that the act of allowing these papers to be laid on the table, did in itself render it absolutely necessary to proceed farther. But then the honourable gentleman on the other side said, that this was the earliest and most proper time at which he could come with his proposition—he was compelled to differ with him. He could not, he allowed, have objected to the production of the papers and of the charge, but when the matter came to a vote of the House—when the question was put sixteen days ago, whether the charge should be taken into consideration, aye or no, then was the time for the honourable gentleman to have said, No: but now the House having pledged itself to the accuser and to the accused, by this vote, and more than that, having actually ordered witnesses to attend, it stood bound to both parties to enter upon the consideration of this charge at some convenient time. He did not say that it had pledged itself absolutely to proceed now, but it was bound to entertain the charge, and to consider it. And here, therefore, what the honourable gentleman said was inapplicable. He said that we ought to have nothing to do with the charge, but that we ought to dismiss it without proceeding any farther. But when the House had come to a vote on the subject, he conceived that the motion of the honourable gentleman was totally inadmissible. For this he was extremely sorry, as he before stated, not only on account of the personal inconvenience which this affair might occasion to himself and others, but also on account of the difficulties which it would throw in the way of the public business. Now, with respect to the acts of 1784, and 1786, he had strong hopes when he came to the House, that the matter might by possibility be referred to such a tribunal. But when he heard the words of the acts "extortion or other misdemeanors," he had very great

doubts whether a case of this kind could be brought under them. His notion was, when extortion and other misdemeanors were mentioned, that this must mean misdemeanors of a similar nature, and that even faults of a lower description, if of a different kind, could not properly be cognizable under these acts. However, it was very probable that the construction put upon the acts by the honourable and learned gentleman was the right one, and that crimes of less magnitude than private extortion, for it was to this that the acts evidently referred, might be cognizable under the acts. As to the present case coming under them, that was out of the question. Yet he must at the same time say, that what the hon. gentleman (Mr. Bankes) had said militated a good deal against this construction, for the case of Mr. Holland, where the Attorney-General at that time (Lord Eldon), thought that political matters were cognizable under these acts, was undoubtedly very strong—but in addition to the authority of the then Attorney-General, we had the authority of the King's Bench here, for he was speaking under correction, as he might be mistaken, that court seemed to have established this construction. The Attorney-General moved the information, and if the Court of King's Bench allowed the proceedings to go on, it appeared like a proof that they had been of opinion that the crimes mentioned in the information were cognizable under the acts. These authorities then were certainly in favour of the honourable gentleman's construction of the acts. But then the answer that had been given by the honourable and learned gentleman was very strong. The accused, it appears, had not stated the objection, and, no doubt, it was very possible that the point might have been overlooked. But this he would say, in passing, if the construction put on these acts by the honourable and learned gentleman was the right one, and probably it was, there must be a very considerable alteration in them, in order to render them capable of answering any useful purpose, as it appeared that few things came under them, and that very considerable delay might take place; so that this mode of proceeding could not at least be recommended from any convenience of dispatch. He had indeed heard it said, that all those offences were punishable in the courts of law. Undoubtedly the court of King's Bench was competent to the trial of

of such offences. But though this might be the case in point of theory, yet, in matters of this sort, it was not altogether the case in point of practice; and this, therefore, ought to be the object of future consideration. In the present case, the House had got into a difficulty, and he lamented to say, that he saw no way of getting rid of it, and therefore it must be fairly encountered. But as to the principle of impeachment in this instance, he might certainly change his opinion if he heard some new facts that had not yet come to his knowledge, or stronger arguments than he had as yet heard; but unless something of this sort should happen, he must say, that he was fully determined to vote against an impeachment. He might, to be sure, hear something that might give a different colour to the whole transaction, and then he would act as he saw proper. Now, he had been one of the most earnest to engage in the impeachment of Mr. Hastings, but before the conclusion of that trial, he had come to this opinion, that it was morally impossible that justice could be obtained: he meant no reflection on the tribunal by which Mr. Hastings had been tried, with regard to crimes connected with India, by the mode of impeachment. He felt this so strongly, that nothing but some new and very impressive information, indeed, could induce him to vote in the present instance for a trial by impeachment. But it might be said, suppose you should be of opinion that Lord Wellesley had very much misconducted himself, what were you to do? That would depend on the degree of delinquency and on other circumstances. The opinion of the House of his conduct might be marked by a declaration of its sentiments, or if more than that should be required, then we had other modes of proceeding. But at all events, whatever might be the result, he hoped that the mode of impeachment would not be adopted. Now, as to the way in which we were proceeding at present, there was one mode, and only one that he saw, by which this matter could be brought to a conclusion before the end of the present session. To be sure it might be said that he wished to withdraw himself from the affair altogether when he proposed it; but it was to sacrifice the whole day to business, to go on with the evidence at eleven o'clock in the morning, and to proceed with other business at the usual hour, in the same manner as the Lords had lately done. He allowed that he must be absent

absent if this mode should be adopted, for in the situation in which he stood, for him to attend would be absolutely impossible. This, therefore, was certainly not a mode to which he was partial, as his absence would be necessary, but at present he saw no other. But there were some here of opinion that the examination of this oral testimony would not last long—perhaps not beyond two or three days; but if, contrary to expectation, it should last long, then he did not see any mode that could answer the purpose, except this vigorous prosecution of the business, which must be conducted in the absence of many members who would wish to be present. There might also be another objection to this point of form. But, however, we had only now to proceed with the evidence for two or three days; and if it was likely to go to any length, then it would be necessary to adopt some new and extraordinary course; for he felt that it was necessary, in justice to the accuser and the accused, that the House should come to some decision this session. The hon. gentleman who conducted this affair, must feel delay extremely unpleasant, though he certainly was not responsible for the delays of the House of Commons; and, on the other hand, it would be dreadful to keep the accused and his friends in suspense. He thought, therefore, that we should begin directly, and proceed with as much dispatch as the forms of the House would allow.

Mr. Paull then moved, that the House should go into a committee on the charge, and that the papers and accounts presented in the last and present session should be referred to the committee, and that the witnesses should attend it.—Ordered.

The House having gone into a committee, Lord Folkstone in the chair,

Mr. Paull moved that Lord Teignmouth be called in. This was agreed to. His lordship was called in, and had a chair provided for him by order of the committee.

Mr. Paull proceeded to examine the witness; but nothing of any particular interest occurred till he came to the question—"Whether in the opinion of the noble lord, colonel Scott ought to have been continued as resident at Lucknow, after the strongest objections against him had been made by the Nabob Vizier?"

Mr. Garrow (the witness having been previously ordered to withdraw) objected to this question, on the ground that

that it had nothing to do with the case, and that any opinion was not legal evidence.

Dr. Laurence told the honourable and learned gentleman, that, in the proceedings before this House, strict legal evidence was not required, as nothing could be more different than the situation of the House of Commons in search of information, and that of a court of law. Opinions had been admitted in the examination of witnesses in the case of Mr. Hastings. He also mentioned that Lord Hardwicke had ruled that, before the Peers, hearsay evidence respecting a conspiracy should be received, with the proviso that only legal evidence should be taken as far as the prisoner (Lord Lovat) was concerned. The question, he contended, was strictly in point. If his learned friend had, therefore, been acquainted with the practice of Parliament, he would not have made this objection.

Mr. Garrow said that he was satisfied with the answer of the learned Doctor; for it seems he had strayed from the courts below to this place, where he found that legal knowledge was totally useless in the examination of witnesses. He thanked the learned Doctor for his lecture, and said that it seemed, from his report, that this House had resolved most magnificently to depart from the rules of evidence which had been established by the wisdom of ages for the protection of our lives and liberties. He denied it was possible that hearsay evidence could be received in any British court of justice; and, indeed, the learned Doctor seemed to correct himself here; for he here added, that legal evidence only was received as far as the prisoner was concerned.

Mr. Windham observed upon the tone in which the learned gentleman had spoken, and said that though he had thanked his learned friend for his lecture, he had not profited by it. Now, he would tell that learned gentleman that he had profited by his lecture, and, moreover, that he did not even thank him for it. He had said he had come from the courts below, and from what he had said, would suppose he thought himself there still. The question was whether the rules of the courts below applied to parliamentary proceedings? Did the learned gentleman mean to say that they did, where the cases were so very different? If he did not mean to say this, he said nothing at all. As to the particular question, opinions might undoubtedly be received in this preliminary enquiry, provided they came from competent persons.

Dr.

Dr. Laurence referred the learned gentleman to the case of Lord Lovat, for the accuracy of what he had stated.

Mr. Garrow in explanation, said he had not asserted that the rules of evidence in the courts below, applied strictly to Parliamentary proceedings, but contended that the nearer we came to them, the better. He denied that hearsay and loose evidence could be admitted in a court of justice.

Mr. Francis and Lord H. Petty contended that questions as to opinion might be put in such cases as the present, to competent persons; that the object of the House was to gain information, and that the rules of evidence in the lower courts did not apply there.

Mr. Rose argued that it was not proper to admit mere opinions, even in parliamentary preliminary inquiries, and said that the House was much obliged to his learned friend for originating the present discussion.

Mr. Martin (of Galway), and Mr. Paull, argued in favour of putting the question.

Mr. Alexander spoke against putting the question proposed.

Mr. Wilberforce thought it perfectly correct to interrogate, with regard to the constitution and practice of the Indian government, a person so competent to answer as the noble lord under examination. At the same time he would recommend to the honourable examiner to put his questions more in a clear and precise manner, in order that the answers should be decisive, and not left open for various constructions.

Mr. Paull conceived his question as precise as could be desired.

After a few words from Mr. Huskisson, the examination was resumed.

The scope of the examination appeared to relate to the system upon which the noble witness acted in the government of India; the course which he would have followed in certain cases, in which Marquis Wellesley was concerned; his opinion upon certain acts of that noble Marquis; his construction of different treaties, particularly that concluded between the Company and the Nabob of Oude, in 1798.

Upon the construction of the latter treaty, it was contended by Mr. C. Wynne, Sir A. Wellesley and Mr. Wallace,

lace, that no question should be proposed to the witness, a copy of the treaty itself being on the table, of which the House could of course form its own judgment, without resorting to the opinion of the witness.

Dr. Laurence stated, that a similar question had been put to Sir Robert Barker, on the trial of Mr. Hastings, and besides that the House had already decided that the witness could be examined as to matters of opinion.

The question was accordingly allowed.

Mr. Wallace moved, that the committee should adjourn for a few moments, in order that he might be enabled to present a petition complaining of an undue election for the county of Wexford, which petition would not, he understood, be admissible after twelve o'clock.

Mr. Fox rose, not to oppose the motion, but to suggest, for the consideration of gentlemen, whether it would not be more convenient to postpone the farther examination of of this witness till the next day, being then past eleven o'clock.

Sir A. Wellesley wished to put a few questions to the noble witness, which would not occupy the attention of the House for many minutes.

Upon the Speaker's suggestion, the chairman was directed to report progress, and ask leave to sit again immediately. The House being resumed, the chairman acted accordingly.

A petition from Wexford was presented. The petitioner, G. Davis, complained of the return of Cæsar Colclough, for that county; he, for several years back, having been, and still remaining, absent from his Majesty's dominions. The prayer of the petition therefore was, that the name of Mr. Alcock, who was next of the three candidates on the poll to Mr. Colclough, should be inserted in the return, in the room of the said Colclough. Ordered on the motion of Mr. Wallace, that the said petition should be taken into consideration on the 3d of July.

The House again resolved into a committee, and the examination of Lord Teignmouth was resumed. Sir A. Wellesley put several questions to the noble lord with regard to the expence of the Company's troops employed in the territories of the Nabob of Oude, the character of the Nabob's own troops, and the disposition of his subjects.

On a question being put by Dr. Laurence, as to whether the Nabob Vizier was addicted to excessive drinking or not,

not, a good deal of conversation took place. It was at length determined that the question should be asked. The noble lord answered in the affirmative, but added, that he always preserved so much decency as not to expose himself in public; he also added that his Highness made use of spirituous liquors.

To a question relative to the great estimation in which the turban is held among the Mussulmen, the noble lord, among other things in his answer stated, that he recollected on one occasion, the Nabob having changed with him, and put on his lordship's hat, whilst the noble lord himself wore the turban of the Nabob.

When the examination was concluded for the day, and the House had resumed, a conversation took place on the subject of the order of the House in proceeding. It appeared to be the understanding of the House at length, that the right honourable Speaker should take the chair at an early hour, for the purpose of forwarding private business, and that as soon after four o'clock as the members most interested in the case should be ready to hear evidence, that that should take precedence of all other business. It was also understood that the second reading of the training bill was to be postponed; and that it would be impossible to bring on the Feruckabad charge until the next session of Parliament.

MESSRS. CHALMERS AND COWIE'S PETITION.

Mr. W. Smith's proposition having been acceded to, that the petition of Messrs. Chalmers and Cowie be referred to the committee of supply, he entered fully into the nature and object of that petition, the leading particulars of which have already been stated. He concluded with moving, that the sum of 25,000*l.* be granted to the petitioners free of all deduction, as a compensation for the loss sustained by them in the importation of herrings, in the year 1801.

Mr. Charles Long opposed the motion. He entered into a history of the proceedings of the treasury board on this subject in the time of Mr. Pitt, and into a calculation on the loss actually sustained, and observed that the demand now made was unreasonable, and what the committee could not accede to, without an unjustifiable application of the public money.

Mr. Wilberforce stated what passed in the committee appointed to examine into the merits of this claim, and considered the petitioners were fairly entitled to what they now sought from the justice and liberality of Parliament.

Mr. Rose spoke in terms highly complimentary of the conduct of Messrs. Chalmers and Cowie through the whole of this business, but thought the motion went much beyond what a just regard to the interest of the public would induce the committee to grant.

Lord Henry Petty supported the proposition of Mr. Wm. Smith on the ground that though the petitioners might not be entitled to indemnification as a matter of strict justice, some relief ought to be afforded them by the liberality of a great nation, they having unfortunately met with an obstruction to the success of their enterprise, even after it might have seemed to be held out to them by Parliament that none should be experienced.

Mr. Bankes on the other hand contended, that the speculation in which the petitioners had engaged, was merely for profit, and one for the success of which neither the justice nor liberality of the country was pledged. If relief were once given in a case of this kind, it would be impossible to say where applications of a similar kind might stop, and they would fall, of course, to be granted in every case of embargo. If, however, any thing were to be granted from the liberality of the nation, he thought it should not go so far as 25,000*l.* but should be limited to 10,000*l.* or 12,000*l.* He accordingly moved that instead of the sum of 25,000*l.* the resolution be filled up with 12,000*l.*

Dr. Laurence opposed the amendment, thinking that sound policy dictated the concession first proposed, especially in a country where the population was annually increasing more rapidly than the means of subsistence.

Mr. Huskisson represented what passed with the late minister, who, he said, disapproved of any compliance with the prayer of this petition.

Mr. Wilberforce had conferred with Mr. Pitt on the affair, but by no means concurred with the statement of the right hon. gentleman.

After some further explanation between Mr. Huskisson and Mr. Wilberforce,

Sir

Sir John Newport warmly defended the petitioners. He was astonished at the prodigious solicitude the gentlemen on the other side expressed for the public purse, after they had squandered away such large sums on the Athol family.

Mr. Wm. Smith concluded the debate, by examining the prominent objections stated, and by a vindication of every part of the conduct of the petitioners from the commencement of the speculation, to the moment he had then advocated their cause.

Mr. Rose and Mr. Huskisson supported this opinion, when the committee divided,

For the original resolution	59
For the amendment	11
Majority	48

Ordered to be reported the next day.

The House then resolved itself into a committee on the corn laws.

Mr. Foster moved a resolution, stating in substance that it was expedient that the average price of grain should be taken from a general return to be made quarterly of the different prices of corn and grain in every district in the United Kingdom; and that the export and import of that article should be regulated accordingly.

Sir John Newport conceived this to be only a preliminary step towards making this kingdom more actually united than it is at present. There were however considerably different opinions entertained on the subject of regulation in the corn trade; and he should think it was rather unadviseable to introduce an entire new regulation, at least until men's minds were better reconciled to alterations in what was the established practice of either part of the United Kingdom.

Mr. Foster observed that if some general rule were not adopted, an English port might be shut with respect to trade with foreigners, when an Irish port was open. English corn might be sent to Ireland, and by its being thence exported to foreign countries, the laws might be evaded.

Mr. Falkener complimented Mr. Foster very highly on his general knowledge of commercial and financial affairs, as well as his intimate acquaintance with the different provisions

visions of the corn laws, and the practice of the traders. He however was of opinion, that what fell from that right honourable gentleman was not sufficiently attended to, and that Irish business was generally discussed in a thin House.

Earl Temple assured the hon. member, it was not from any want of attention to the interest of Ireland this happened to be the case, if it did so happen.

After several observations from Mr. Scott, Mr. Pattison, Mr. Western, Mr. Alexander and Lord De Blaquiere, the clause was agreed to; and the bill, with its amendments, ordered to be printed.

The report was, upon the House being resumed, ordered to be taken into farther consideration on Friday next.

The report of the thread lace bill was postponed till the next day, and the linen drawback bill till Thursday next.

The House went into a committee on the Irish post roads bill, in which a variety of amendments were made.—Report on Thursday.

The other orders of the day were then disposed of, and the House adjourned at one o'clock in the morning.

HOUSE OF LORDS.

THURSDAY, JUNE 19.

Earl Manners (late Lord Viscount Newark) was introduced, and took the oaths and his seat.

Mr. Adams was heard as counsel on Sir John Gordon's divorce bill. Witnesses were also examined to prove the necessary documents and the fact of adultery. The Earl of Mountmorris was one of the witnesses, and was examined at the table of the House, where his lordship was allowed a chair.

The bill was then read a second time and committed for Monday.

Mr. Hobhouse, and several other members of the House of Commons, brought up the Irish post road bill, and some private bills, which were read a first time. The Irish post road

road bill was, on the motion of the Earl of Limerick, ordered to be printed.

The resolutions of the committee of the whole House respecting the administration of civil justice in Scotland were reported by Lord Walsingham, and, on the motion of Lord Grenville, ordered to be printed.

The West India auditors' bill was read a second time, and committed for the next day.

SLAVE TRADE.

The Earl of Westmoreland expressed a wish that the noble lord opposite (Lord Grenville) would consent to postpone his motion relative to the slave trade, which stood for the next day, till Tuesday, on account of the indisposition of an illustrious duke (the Duke of Clarence), who was anxious to attend upon the discussion of that question.

Lord Grenville expressed his regret at the indisposition of the illustrious duke alluded to by the noble earl, and readily acceded to the noble earl's request.

The Earl of Westmoreland requested to know in what form the noble lord's proposition upon the subject would be made?

Lord Grenville replied, that the object of it would be to agree to the resolution of the House of Commons.

The resolution communicated from the House of Commons was ordered to be taken into consideration on Tuesday next.

The Earl of Westmoreland presented a petition from certain persons concerned in the West India trade, and another from the agent of the island of Jamaica, against the abolition of the slave trade, which were ordered to lie on the table.

JUDGE FOX.

Lord Grenville moved the order of the day for the consideration of the petition of Mr. Justice Fox.

The petition was read by the clerk, stating the petitions originally presented against him in May and July, 1804, and the course and progress of the proceedings subsequently had thereupon, complaining of the hardships resulting to him from proceedings novel in their nature, and harassing by their delay, and the expence of which was almost ruinous to his private fortune, and finally praying their lordships

to make such orders therein as to their wisdom and justice should seem meet.

Lord Grenville thought he might safely assume, after the laborious investigation which their lordships had recently terminated, it would not be an agreeable thing to engage in another enquiry, yet more complicated and difficult. But it was not a mere question of personal convenience: there were much more serious reasons, founded in the principles of the constitution of Parliament, which rendered it, as he conceived, impracticable that their lordships should prosecute the enquiry affecting the learned judge by whom this petition was presented. No complaint of the nature here contemplated could originate with the hereditary branch of the legislature, although it might proceed in the business after the preliminary steps had been taken by the House of Commons. That distinction was recognized by all writers, and by all authorities, on this important subject; and those noble lords who thought fit to continue the proceedings against the learned judge in their present form, should shew some rule, and some precedent, which should take this out of the ordinary case; and this he assured them would involve a search sufficiently laborious; for, with all the attention he had paid to it, he had not discovered a single example which could warrant any adherence to what had been in his mind so indiscreetly adopted, since passing the bill for the independence of the judges. It would be recollected, that a great and learned lawyer on the bench, Lord Chief Justice Holt, was cited before that House to answer for some particulars of his conduct; but he replied to that summons, that he was not responsible to answer there to the complaint instituted against him in his judicial character. That was a decisive precedent against the examination in which their lordships had so long been engaged; and it was brought before the House under circumstances which compelled their ancestors to take notice of it, and with it they wholly acquiesced. The House of Commons was the grand inquest of the nation, and their lordships could not so far invert the order established by the constitution as to place themselves both in the situation of judges and inquisitors. Even in the case of the trial of the members of their own body, their lordships knew that the inquest was removed elsewhere. If these familiar principles were applied to the present case, there would be discovered a complete subversion of the established order. This was

a case

a case in which high crimes and misdemeanours were alledged against one of the judges of the realm, in the execution of the duties of his office. No charge of this nature could originate there against the meanest individual, much less against a learned person, protected by his high judicial situation. To proceed in the way hitherto pursued, would be opposed to all analogy in other cases; and what would be their lordships' judgment? It would be a motion and address, not in their judicial, but in their legislative capacity, after entertaining a charge for high crimes and misdemeanours, for personal wrongs done to the subjects of this kingdom. The absurdity of this was too manifest to require any explanation; and after having advanced thus far in the one character, their lordships would be required to proceed by address, and the address, to answer any competent purpose, was to have the effect of the severest judgment. During all this time the House of Commons could have no regular knowledge of the progress of those enquiries, yet, after all, the impeachment must emanate from thence; and after their lordships had prejudged, they were again to submit to the farce of forming a second judgment, and to go through all the subsequent stages as if they before had not advanced a single step in the affair. Could there be a more painful, a more ridiculous, and humiliating situation?—a more absurd predicament? There was no alternative; their lordships must either do this, or what was equally monstrous and horrible; they must say, that this proceeding of their's should prejudice the representatives of the people in the legitimate exercise of their unquestionable rights. These were some of the inconveniences arising not only in this particular case, but in all cases under similar circumstances in which the plain maxims of the constitution were abandoned. Their lordships then were engaged in a proceeding which would manifestly interfere with the privileges of the other House of Parliament, or rather in what would bring the immunities of both Houses into contempt. The present was a case of crime, and although the wisdom of our laws had at all times provided a regular course for the punishment of the offender, yet such was the anomalous expedient resorted to on this grave occasion. He would not say this was not within the exercise of the power of their lordships, for he did not know what could controul that power, but it was remote from all prudent application of that authority. Their lordships were about to decide extra-

judicially, upon what might be regularly tried in the courts below, or upon what might be formally and judicially submitted to their judgment. If their lordships were to continue this procedure, how could they shut their doors against any parties who should be disposed to bring the conduct of a judge before the bar of that House: any Johnny Noakes or Tommy Stiles, who should be dissatisfied with the direction of the learned person appointed to preside in the cause in which they were concerned? The approaching summer assizes their lordships might bring all the judges of the land to the bar of the House, and they might be engaged in their own defence, instead of assisting their lordships with their profound erudition, and instead of continuing to administer the laws of the country with so much honour to themselves and advantage to the community. Thus would these exalted officers of public justice be liable to the persecution of the meanest individual, and would be exposed to an expence, which would far exceed the reward assigned them for their learned and laborious duties. But it might be said, that unless their lordships had a power to proceed criminally, there was no authority by which the judges could be called to account. He thought there was a manner in which this might be effected without incurring the necessity, by a side wind, of originating with their lordships that criminal jurisdiction. The House might advise the removal of a judge; and such advice might, under many circumstances, be extremely necessary. A judge might be incapacitated for the discharge of his arduous and solemn duties, from numerous causes incident to the infirmity of human nature; the peevishness of age, the corporeal debility of advancing years, and other motives, as various as the imperfections of the human frame and intellect, might render a judge unfit for his station. There is another course by which a judge may be convicted, but not under the present circumstances, *coram non judice;* where he might have the benefit of the same equal laws which he administered to others; where he might have the advantage of a grand jury, of a common jury, and the assistance of a court learned in the law. There he might be convicted, that conviction not being founded on a misdemeanour in the execution of his office; and although, therefore, it would not import a forfeiture of his office, yet it would be such a stigma on his character as would render him unfit to continue in the exercise of his judicial functions. But supposing

posing all this, founded on the nature and constitution of Parliament, were out of the case, and the question were to be considered merely on the ground of expediency, their lordships were arrived at a period of the session, when no man could lay his hand upon his heart and say, that such an attendance could be secured as would be sufficient to fulfil the great designs of public justice. If this business must then unavoidably be postponed, ought it to be kept suspended over the learned judge a fourth year, while he was in the exercise of his office, arraigning criminals; he himself being also arraigned as a criminal at the bar of their lordships? Convinced as he was that their lordships were proceeding in a cause which was not legally before them, it became his duty to endeavour to arrest its progress; yet it was not only irregular and unlawful, but was attended with very injurious consequences. Nothing could more completely weaken the authority of all law, nothing more effectually defeat the purposes of justice. No man could be more desirous than he was, to discharge his duty to every part of the kingdom; but if any part should be more attentively regarded than the rest, it should be those parts that were most remote from the seat of government; and to conduce to the upright administration of the law, would be the most beneficial means of attaining the most valuable ends of all government. In this design, it was absolutely necessary to secure respect to the law, and nothing could more rapidly contribute to make it contemptible, than the irregularities in the proceedings of the hereditary branch of the legislature, of which he now complained. On these grounds, his lordship moved, that the further proceedings in the case of the learned judge be deferred till that day two months. He would not dismiss the case entirely, because it would be implying an opinion upon it; but it would be seen, that the effect must be, that it could not be revived in the same shape. All other modes would be open, the only one closed would be the one that was wholly unfit for the object it was designed to attain.

The *Marquis of Abercorn* had heard the noble lord with great pain and regret. If, as was to be apprehended, from the great weight and authority which the noble lord had in that House, a negative was to be put upon the further proceedings in the case of Mr. Justice Fox, he feared that there would be soon sufficient cause to lament the precedent established by such a decision, and that the noble lord him-

self would ere long repent it. He would not attempt to reply to the arguments adduced by the noble lord, for the purpose of proving that these charges ought not to have been brought before the House, as he considered that the time was past for such an argument, the House having already repeatedly decided to the contrary. They had ordered witnesses repeatedly to attend to give their evidence, a similar order had been again made this session, and witnesses were now in attendance. These witnesses had travelled many a weary mile to attend at the bar of that House to claim that justice which was due to them; and now, after having heard part of the evidence and gone thus far, the proceeding was to be suddenly put an end to, the remainder of the charges were not to be investigated, and with respect to those which had, the learned Judge was to be deprived of the opportunity of rebutting the evidence against him. He regretted that he must be under the necessity of detaining their lordships some time, but he felt it to be his duty, under the circumstances in which the House was now placed by the present motion, to call their attention to the whole of the evidence which related to the charges against Mr. Justice Fox, with a view of putting it to them upon the whole of the case, whether they could consistently, or in justice, now suddenly abandon the proceedings which they had commenced. His lordship then entered into a very long and minute detail of the charges against Mr. Justice Fox and the evidence in support of them, commenting upon each charge as he went on; but as it is altogether an *exparte* statement, we consider it proper to refrain from following the noble marquis in this part of his speech.

Lord Eldon said he should give a most decided negative to this motion. He knew, as well as any man, the importance of preserving the independence of the judges; but there was something equally dangerous with a condition of dependence, and that was, that they should be placed above all law and all controul. He did not see how the enquiry could be dismissed, unless the evidence before the House were erased from the journals. The noble lord, who now sat on the woolsack, was well acquainted with the importance of the trial by jury, and had selected for his motto this distinguishing character of British jurisprudence. What would he say to the repeated violations of this mode of trial, which appeared on the evidence to have been practised by the learned judge, whose conduct was the subject of enquiry?

quiry? The mode in which the examination had proceeded was not open to the objections stated by the noble lord who made the motion. It was perfectly regular, that the Houses of Lords and Commons should jointly address the Throne for the removal of an unjust judge; and it would be in the greatest degree indecent, if such an address were not preceded by patient and deliberate inquiry.

The *Lord Chancellor* was extremely sorry, at that late hour, to solicit the attention of their lordships, but he could not avoid making a few observations. When this subject first came before their lordships, he was a member of the Commons House of Parliament. The learned judge, whose conduct was referred to, had applied to him to appear as counsel, but he had declined all interference, as he understood the object was to remove this high officer from his judicial functions, and that could not be done without the assent of the representative part of the legislature. From this circumstance, and the little expectation he entertained that this subject would so early be submitted to the determination of their lordships, he had not prepared himself by any previous examination of the evidence; but holding the important situation he did, it would be absurd for him to say, that he could form no opinion on the matter now before their lordships, because the merits of it depended on the existing law, and not on the testimony collected for the purpose of this investigation. The noble and learned lord who spoke last said, that there were indeed parts of the evidence which would attract the particular attention of him who had the honour of then addressing the House, and because he knew his sentiments, and saw upon the carriage which came to the door of their lordships, the motto to be borne with the armorial insignia of the Erskine family thro' all future generations—that motto was, "Trial by Jury:" although he (Lord Chancellor) had been engaged in the hottest times in the defence of that cause, he did not, by the trial by jury, mean to imply any thing distinct and separate from the judge who presided at those trials: it was the trial by judge and jury which attracted his respect and admiration, and he had learnt to direct his veneration to it by an illustrious nobleman (Lord Camden), whose sentiments to him were not a matter of history, but of personal knowledge, for he was the friend of his youth; and that personage, to the *judicium parium*, had added terms expressive of his regard for that valuable part of the constitution of a

court,

court, which was immediately concerned in expounding the law referable to the facts before the jury. Since his noble and learned friend had adverted so particularly to him, he would remind him of another circumstance which might lead that noble person to suppose that he (Lord Erskine) valued this mode of trial too much to admit any part of it to be impaired. Did any man ever go further than he did, to remind judges of the duties they owed to their country, for which he had been publicly rebuked, but which he returned, he trusted, with honest indignation? It was his pride, that in the course of his professional occupation, he had been honoured with a gown of precedence, which did not limit his exertions, but permitted the application of them on many occasions, the recollection of which constituted no inconsiderable portion of the happiness of his life. Feeling as he did, he joined with peculiar fervor with the noble and learned lord, in the sentiment, that judges should not be placed above the law, and be permitted to trample on the right of the subject. The true question in this case was, what was intended by the statute of William, and had Mr. Justice Fox, by his misconduct, conduced to the degradation of our free government and constitution? But, whatever might have been his deportment, he was entitled to a fair trial. One of the first principles of British justice in the administration of our penal law is, that the party should be accused, then his case was to be submitted to the grand jury, which was a secret inquest in the first instance, and witnesses were to be examined before them: then, if they saw just cause, he was put upon his trial, and he was judged by twelve impartial persons, who were wholly unacquainted with what had passed upon the inquest; and when he stood at the bar of his country, no man's mouth could be opened but in his presence, no prejudice could be raised which he could not immediately countervail. It was inconsistent with the practice of any court to know any thing of the evidence but in the presence of the party, and that evidence was subjected to his examination. Their lordships were men exalted, enlightened, and learned; but they were still men, and subject to all the infirmities of human nature. All he had known of the mind of man had instructed him how dangerous it was to assume an opinion, unless the party had a cotemporaneous opportunity of taking off the unfavourable impression, and thus the poison was ever accompanied by the antidote.

Would their lordships apply these acknowledged principles of our law to the case of the learned judge? Witnesses had been examined at their lordships' bar, their evidence had been registered, no counsel attended, and no cross-examination was admitted. They have said, that this learned judge condescended to bully the jury presented before him. Their lordships had better have fulminated their rage, and have abandoned all the decencies to which they were attached, than proceed to condemn him under such circumstances. How long was this blockade of evidence to remain upon their lordships minds, before the party was to be heard in his defence? What a spectacle had the House exhibited! how anomalous the proceedings! While they were arraigning the judge, what were they doing themselves? Had their lordships not been haranguing one another, inflaming one another, and must not all justice perish for ever, if such were their proceedings? Was it the intention of the House to address the King to remove Judge Fox? What was that but the commencement of a judicial proceeding? It was impossible they could stir a step except the Commons agreed with them. Suppose, when the address was sent down to them for their concurrence, the Commons should say, We chuse to proceed by impeachment, in what a situation would their lordships be? Why, that of having actually prejudged a man upon a collateral point. Were they, who had before condemned him, to try the impeachment? Suppose that Mr. Hart, or any other of the petitioners, were dissatisfied with the decision of their lordships, and thought it proper to apply to the Commons, was that House to try a man upon whose case they had pronounced an opinion already, whom they had dismissed from the charge? These were some of the least anomalies into which they would be plunged by a continuance of the present proceedings. Were their lordships afraid to trust the ordinary tribunals upon this occasion, to let the guilt or innocence of the honourable judge be decided by a jury upon a *scire facias* to repeal the patent by which he held his office? The Commons have also received petitions upon the subject, but they could do so without any inconsistency, for it was not they who were to judge. There was also another objection, and in his mind a very great one, to proceeding in that House, and that was, that no one could say when the trial was likely to terminate. He had listened with very great pleasure to the admirable speech of the noble

noble marquis, with so much indeed, that if he had not discovered, by looking at his watch, that he had spoken full three hours, he should have conceived, from the excellence of his speech, that he had not occupied more than a quarter of an hour of their lordships' time. If this opening speech was to consume so much time, what time would be sufficient for the counsel, the examination and cross-examination of evidence, and all the delays that necessarily hang upon judicial proceedings? Their lordships had been just delivered from the jaws of one impeachment, were they to run into the jaws of another? If they were, in the name of God, let the proceedings commence where they ought, that is, in the Commons, and let not their lordships prejudge a case which they might probably be called upon, in their judicial capacity, to determine.

Lord Hawkesbury did not rise for the purpose of going into the evidence, but meant to confine himself to that part of the question which had relation to the jurisdiction of their lordships. It was necessary to come to a precise knowledge of the principle upon which they were to proceed. One great error appeared to him to pervade the argument of the noble baron who made the motion, and it was, that he seemed to consider their present proceeding as an exercise of the judicial power, when, in fact, they were only exercising that inquisitorial authority with which they were vested by the constitution. No two powers could be more distict; they might be exercised together without any violation of the equitable principles of our code of judicature. If they were to be restricted from the exertion of the inquisitorial power, because it was possible that the Commons might consider the offence which they were enquiring into as fit matter for impeachment, there would be an end at once to any practical employment of it. They could neither address for the removal of a secretary of state, a first lord of the admiralty, or the governor of a colony. Their lordships, he thought, had placed themselves in that situation that they could not recede. They had heard evidence; they had passed a bill to continue the proceedings in the present session. He would enter his protest against quashing the proceedings. He thought it became the House to consider the situation in which they had placed themselves, as well as the situation in which they had placed the learned judge also.

The *Earl of Moira* had been prevented, by his occupations

tions elsewhere, from attending the proceedings; but the first impression on his mind was, that there would be no impropriety or inconvenience in entertaining the subject. However, more mature reflection, as well as the arguments which he had heard offered that night, convinced him that his first opinion was erroneous. The House were in the strange situation of hearing a trial, in which there was no ostensible prosecutor; for the very persons who acted in that capacity, from very laudable motives he would admit, sat amongst them as judges. He was clearly of opinion, that the proceedings should have originated in the other House. His lordship quoted the case of Judge Cleland, who had been guilty of the same offence imputed to Mr. Justice Fox; namely, imposing an exorbitant fine on the county of Essex. But how did the county proceed? Why, they resisted the payment, and so brought the conduct of the judge to legal investigation.

The *Earl of Buckinghamshire* differed in opinion with the noble lord who had just spoken. He felt, that the inquisitorial power had been properly placed in their hands, and he wished to see it exercised. The Commons were, in fact, privy to the proceedings against the learned judge, for they had given their consent to a bill for continuing them.

Lord Auckland repeated his former objections to proceeding. From the first time the subject was introduced in the House, he strove, to the utmost of his poor abilities, to point out to their lordships the injustice and inconsistency in which they were about to involve themselves. He thought, from the discussion of that night, that he was likely to see an end of the measure.

The *Earl of Hardwicke* considered the motion as calculated to get rid of the proceeding altogether, and therefore by no means likely to satisfy the feelings of the people of Ireland. There, he was fearful, their lordships' determination would be considered as a denial of justice.

Earl Spencer said, nothing had been urged to induce him to alter the opinion which he had so often taken the liberty of offering to their lordships on this subject. He contended, that the effect of the motion would not be to get rid of the proceedings altogether. It was competent for the other House to take it up, and send it up before their lordships, in a regular and constitutional manner.

The *Earl of Westmoreland* thought it would be a great

hardship on the learned judge, if he were deprived of an opportunity of vindicating his conduct, and coming to Parliament for remuneration of his expences, in case his innocence of the charges should be made manifest.

The House then divided on Lord Grenville's motion, for taking the charges into consideration on that day two months:

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	Majority	—9

Adjourned.

HOUSE OF COMMONS.

THURSDAY, JUNE 19.

The assessed taxes bill, the thread lace bill, the Duke of Grafton's agreement bill, the Prussian yarn bill, the Gibraltar and Malta postage bill, and the Irish mine bill were reported, and ordered to be read a third time.

Lord Morpeth gave notice, that the East India budget would be laid before the House on Monday se'nnight.

On the motion of Mr. Vansittart, the report on the excise office regulation bill was taken into further consideration, and the bill ordered to be read a third time on Monday.

The committees on the Scotch distillery bill, the custom-house fees bill, the stamp-office regulation bill, and the post-office regulation bill, were postponed till the next day.

Sir J. Newport brought up the Irish customs and excise regulation bill, which was read a first time, and ordered to be read a second on Monday.

IRISH ELECTION BILL.

Sir J. Newport moved the order of the day for the House resolving itself into a committee on the Irish Election bill.

Colonel Vereker then rose, and spoke with great warmth of the rapidity with which the right honourable baronet had pressed the bill through the previous stages, while he had declined doing any thing in the present session for remedying those evils which existed in the paper circulation of Ireland. He had no idea of the contents of this bill till

till very lately, and its object appeared to be to strike a death-blow at every corporation in Ireland. It arose from the right honourable baronet's own experience in a late election *(Order! Order!)* and was destructive of the rights of the great corporations. He contended, that time should be given them to present petitions and protests against it, and, as that could not be done in the present session, he should move that it be postponed to the next session.

Sir J. Newport explained the object of the bill. At present, petitioners claiming the rights of freemen in corporations, presented their claims to the mayor, who was an annual officer; and it too often happened, from this and other causes, that their claims were neglected and mislaid for years, and that the freeman was deprived of his just rights, or forced to reclaim them at a great expence. The present bill provided that every claim should be delivered to the town clerk, who was to present it to the mayor within forty-eight hours; and that some decision should be passed upon it within one month after its presentment. It obliged the corporation to proceed to some decision, before they entered on any other election business. Should the claim be rejected by them, and afterwards brought into a court of justice, and decided in favour of the claimant, it provided that he should recover all those expences which he had been put to in pursuing his just rights. This was the more necessary as individuals at present found it ruinous to cope with the weight of a corporation purse. He knew that in one instance 5000*l.* had been raised on the revenues of a corporation, for supporting the law expences occasioned by these appeals. The present bill called upon the corporations to do nothing but justice, and whatever allusions the honourable member might make to his motives, he trusted the House would do him the justice to believe, that in the exercise of his official duty, he was not actuated by any private or sinister views.

Mr. S. Bourne expressed a strong wish that the measure should be deferred for the present, till the sentiments of the people of Ireland should be known. The bill might now pass through the committee *pro forma*, and the blanks might be filled up, that the nature of the bill might be fully ascertained, and in this state it might lie over till next session.

Mr. Alexander contended, that the bill, by holding

out so much encouragement to claimants, would be the means of introducing endless litigation.

Mr. Foster said, that the lateness of the session, and the distance of those who were interested in it, made it impossible for them to transmit their sentiments on it to the House in the present session. He should therefore oppose the Speaker's leaving the chair.

Mr. O'Hara conceived the best way would be for the House to go into the committee at present, when the blanks might be filled up, and then the nature and object of the bill would be seen.

Lord Temple trusted, that no objection would be made to this proposal. He believed that his right honourable friend would not object to giving ten or fourteen days, in order that the sense of the Irish gentlemen might be collected upon it.

Sir J. Newport expressed his acquiescence in this proposal; but he could not consent to postpone the consideration of the bill beyond the present session. By that means twelve months would elapse, and in the mean time a very large body of electors might be deprived of their rights.

Colonel Bagwell opposed the bill; and Mr. Parnell and Dr. Laurence supported it.

Mr. H. Browne wished the bill to be put off for the present. He thought it liable to considerable objections, and at least ample time should be given for its full consideration. He would ask the right honourable baronet, whether he could possibly think fourteen days sufficient for collecting the sense of the people of Ireland upon it? The people of this country were justly jealous of every thing that affected their elective rights, and nothing of that kind should be hurried through the House.

The question being then loudly called for, a division took place, and there appeared for the committee . 27

Against it 26

Majority . . . —1

On being re-admitted, we found Mr. Alexander speaking against the bill.

Lord Temple then rose to observe, that the house last night had come to an understanding that the further examination of evidence on the charge against Marquis Wellesley should re-commence at five o'clock, and that every other business should give way to it. He therefore moved,

that the chairman report progress, and ask leave to sit again.

The Speaker confirmed what had fallen from the noble lord, with regard to the understanding which the House had last night come to. A desultory conversation then ensued, in which Mr. S. Bourne, Lord Temple, Sir J. Newport, and Mr. Rose took a part; and the Speaker having resumed the chair, the Chairman (Mr. Hobhouse) reported progress, and asked leave to sit again on Monday next. This motion was opposed by Colonel Vereker, who repeated his former arguments, and maintained that the right honourable baronet was totally ignorant of the corporations in Ireland. The office of town-clerk, he said, was annual, as well as that of the mayor; and therefore the present bill would not more than before accomplish its object. A division was then loudly called for, and there appeared

For the committee on Monday . . . 39
Against it 27
Majority . . . . . —12

On the motion of Mr. Paull, a return to an order of the House of the 5th of June for papers on the Oude charge, was ordered to be made forthwith.

MARQUIS WELLESLEY.

Mr. Paull then moved the order of the day, for the House resolving itself into a committee, to take into consideration the Oude charge.

Sir A. Wellesley asked what time the honourable gentleman thought the further examination of evidence would occupy?

Mr. Paull replied, that he expected to close his examination of Sir Alured Clarke, Major Ouseley, and Mr. Johnstone that night; but that he proposed postponing the further evidence till Monday, on account of the absence of some important documents which were not yet before the House.

The House then resolved itself into a committee, Lord Archibald Hamilton in the chair.

Mr. Paull expressed a wish, that Mr. Johnstone, as being a member of the House, should be first examined.

Mr. Johnstone felt himself placed in rather an awkward situation, by being called on as a witness. He had wished to deliver his opinion on the charge as a member of the House,

House, and probably his being called on to give evidence might preclude him from delivering his sentiments.

Mr. Paull conceived it absolutely necessary to establish his charge, that the honourable gentleman should be examined.

Mr. Johnstone was then examined at much length by Mr. Paull; he had been a considerable time at Lucknow, and acted as British resident there in the year 1794. He had heard that the Vizier Asuf Dowlah was addicted to opium and spirituous liquors, but could not state this of his own knowledge. He knew that the system of Lord Cornwallis with respect to Oude was, never to interfere in its internal affairs, except in the way of advice and admonition, and that the Vizier and his officers were at that time treated with great respect by the officers of the Company. It was his opinion, that if Lord Cornwallis had been governor when the Vizier was deficient in the payment of the sums stipulated by the treaty, he would have examined to what this deficiency was owing, and if it proceeded from inability, that he would have reduced the demand, instead of seizing his territories.

After a long conversation upon the admissibility of it as evidence, a paper was allowed to be laid on the table, which was a copy of a statement made by Mr. Johnstone in the year 1792-3, of the revenues of Oude, which then were estimated at two crores or twenty-one lacks of rupees, being about 2,400,000*l*.

Mr. Johnstone was asked a variety of questions respecting the affairs of Oude, by Sir Arthur Wellesley, Mr. Hurst, Mr. Martin, and other members.

Sir Alured Clarke was then called in and examined respecting the affairs of Oude, and the opinions entertained about the administration of that country, when he was vice-president of the council of Bengal, as well as at the time when the changes in the system of its government were introduced by Lord Wellesley. Those changes appeared to him to have been made with the concurrence of the Vizier, and not against his consent.

Another difficulty arose upon a question put by Mr. Paull to Sir Alured Clark, as to *his opinion*, whether the demand of seventy-five crores and 500,000 rupees, from the Nabob of Oude, on a particular occasion, was not a violation of the treaty of 1798?

This question was strenuously opposed by Mr. Wallace,

Mr.

Mr. Sturges Bourne, Mr. Huskisson, Sir Arthur Wellesley, and other members, upon the ground that as the treaty itself was on the table, the committee could form its own decision upon the subject, and ought not to receive evidence of opinion from any witness.

Mr. Paull contended, that he was grounded in this question upon the undisputed admission of the House the preceding night.

This produced a debate of considerable length, when the committee divided,

For the Question - - - - -	16
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Majority - - -	30

Mr. Paull stated, that the next question he had to put was also a question as to opinion, namely, whether if the Bengal army had been marched to the frontier of Oude, with a view to repel the enemy, then marching to attack that territory, the witness thought it would be fair or just, and not contrary to treaty, that the whole expence should be charged to the Nabob Vizier? But as the committee had decided that night contrary to its own practice the preceding night, he wished to adjourn the further proceeding, in order to re-consider and new-shape the questions he had still to ask, and to give an opportunity for the attendance of other members.

This produced another debate, which terminated in permitting, at the request of Mr. Wellesley Pole, the question to be put for the opinion of Sir Alured Clarke; and the answer was, that "not recollecting the words of the treaty, he could not now form any opinion, nor did he know that such a case had occurred."

Another discussion arose upon the question of adjournment, when it was at length agreed to adjourn the further proceedings till the next evening at five o'clock; and Mr. Paull pledged himself to close the evidence of Major Ouseley in three hours.

Sir Arthur Wellesley said, that in order to the defence of his noble relation against one of the principal charges of profusion and extravagance, it would be materially important to have the testimony of a gentleman, named Salmon, who had been the military auditor at Bengal, and who had formed the estimates upon which the sums in allusion were expended. He therefore called upon the honourable gentleman

tleman who brought forward those charges, to move that Mr. Salmon be summoned to attend the committee.

Mr. Paull thought it very extraordinary, that the hon. gentleman should dictate to him what witnesses he should bring forward in support of his charges, which he had no doubt of being able to substantiate.

Sir Arthur Wellesley said, he hoped when the committee should decide upon this part of the case, it would be recollected that the honourable gentleman had been called upon, and refused to summon a most competent witness.

Colonel Wood said, if the honourable member refused to comply with a claim so fair, the House had the power, and he hoped would, for its own satisfaction, summon Mr. Salmon.

The chairman at length left the chair, and obtained leave to sit again to-morrow.

Ordered, upon the motion of Colonel Wood, that Mr. Salmon be summoned to attend the committee.

Mr. Windham then brought up his bill for obtaining correct returns of the persons liable to be balloted for the militia, and for suspending such ballot for a time to be limited. Read a first time, and ordered for the second reading the next day.

At twelve o'clock the House adjourned.

HOUSE OF LORDS.

FRIDAY, JUNE 20.

The royal assent was given by commission to the Irish malt duty bill, the mutiny bill, the Chelsea allowance bill, the Dublin paving bill, and twenty-two private bills. The commissioners were the Lord Chancellor, Lord Walsingham, and Lord Auckland.

In an appeal from Scotland, "Martin v. Macnabb," the Lord Advocate of Scotland was heard for the appellant. Further hearing on Wednesday.

Mr. Hobhouse, and several other members of the House of Commons, brought up the Duke of Grafton's agreement bill, the Irish mine bill, the additional assessed taxes bill, the Gibraltar and Malta postage bill, the Prussian yarn bill, and some private bills, which were read a first time.

The West India auditors bill passed through a committee and was reported.

The

The report of the insolvent debtors bill was, on the motion of the Earl of Lauderdale, ordered to be taken into consideration on Wednesday.

TORTOLA FREE PORT BILL.

Earl Spencer moved the second reading of the Tortola free port bill.

The *Duke of Montrose* expressed his regret at the thin attendance of their lordships on a question which he conceived to be one of the greatest importance. He was at a loss to conceive the reasons upon which the measure was founded. The present board of trade had acted in this instance diametrically opposite to the decision of the board of trade of last year. He had hoped that upon this question the noble lord at the head of the treasury would have attended, but understanding that noble lord was prevented from attending by a slight indisposition, he must request his noble friend in the blue ribbon (Earl Spencer) to act as umpire upon this question between the two boards of trade. The principle upon which the board of trade of last year had acted was clearly this, that in allowing the free importation from foreign islands into one of our own islands, of sugar and coffee, and those articles which our own islands produced, it was impossible afterwards to prevent the importation from thence into this country, of such foreign produce, upon the same terms as the produce of our islands, thereby materially injuring the interests of our own West India islands. This principle applied to the island of Tortola, from whence, if foreign sugar was to be allowed to be imported thither, all the ingenuity of man could not afterwards prevent the ingenuity of man from finding means to import that sugar into this country, under the pretence of its being sugar of the growth of our own islands. The establishment of a free port, according to the provisions of this bill, in the island of Tortola was therefore, in his opinion, a measure highly impolitic, and a measure which he thought the noble lord at the head of the board of trade could only have been induced to bring forward by the representations of the very ingenious agent of that island. He thought, therefore, that the consideration of the bill had better be postponed for the present session.

Lord Auckland defended the bill, which he considered a measure of sound policy. The object of it was to render Tortola a carrying island, and to take from St. Thomas's

some part of the carrying trade in the possession of that island, in which a number of British shipping were employed. This was a measure which he conceived would therefore be beneficial to our commerce and our navigation, whilst, with respect to our West India trade, it would not be injured, nor did any of these persons concerned in that trade, or connected with West India interests, whom he was in the daily habit of seeing, make the least complaint, that any such injury was likely to result from it. As to the dangers which the noble duke apprehended, there was an express provision in this bill for the purpose of preventing the importation into this country of foreign sugar, as there was a clause by which no more sugar was to be imported into this country from Tortola than the amount of the average annual produce of that island. This, therefore, negatived all those evil consequences apprehended by the noble duke; as it was not to be supposed that officers employed in the customs of Tortola would grant false documents, when, at the end of the year, on making up the accounts, the fraud must necessarily be discovered, and those guilty of it lose their offices.

Lord Hawkesbury supported the arguments urged by the Duke of Montrose, and supposed that this measure must have come before the board of trade in the absence of the noble lord (Auckland) opposite, whose accurate knowledge upon the subject forbade the supposition that he had been present when the measure was discussed.

Earl Spencer observed that, in his new office of umpire, conferred upon him by the noble duke, he had little difficulty in deciding, as he found that the present board of trade had, in this measure, only followed the example of the former board of trade, by whom an act similar to the present was brought forward, last session, for establishing a free port at Nassau, in the Bahamas. His lordship likewise supported the bill, on grounds similar to those urged by Lord Auckland.

The Duke of Montrose and Lord Auckland explained.

The bill was read a second time, and committed for Monday.

Adjourned till Monday.

HOUSE

HOUSE OF COMMONS.

FRIDAY, JUNE 20.

Mr. Lethbridge took the oaths and his seat for Somersetshire.

Mr. Shaw Lefevre presented a petition from the Sun fire-office company, against the bill for incorporating the Globe insurance company. Ordered to lie on the table till the second reading of the bill.

The deputy usher of the black rod appeared at the bar, and requested the attendance of the House in the House of Lords, to hear the royal assent given by commission to certain bills. The Speaker accordingly repaired to the House of Lords, attended by the members present, and on his return informed the House that he had heard the royal assent given by commission to the Irish malt and spirit duty bill, the mutiny bill, the Dublin paving bill, and several private bills.

Mr. Hobhouse brought up the report of the committee on the expiring laws, which was agreed to, and a bill ordered accordingly.

The assessed taxes bill, Irish mines bill, Duke of Grafton's butlerage bill, and the Gibraltar and Malta postage bill, were severally read a third time and passed.

On the motion of Lord Temple the American intercourse bill was committed, and ordered to be reported on Monday.

On the motion of Lord Henry Petty there was ordered to be laid before the House a report of the comptroller of the army, relative to the accounts of Mr. Trotter.—Also of the bills of Messrs. Pearce, relative to the clothing of the troops on the continent.

On the motion of Mr. Foster, the report of the grain interchange bill was postponed till that day se'nnight.

Mr. Mebeux, from the India house, presented, agreeably to an order, a number of papers relative to the nabob of Arcot.

The Irish education bill, and the Irish spirit licence bill were read a second time, and ordered to be committed on Monday.

On the motion of Mr. Vansittart the report of the committee on the Newfoundland fishery was referred to a committee of the whole House on Monday.

The committee on the Irish customs regulation bill, and

the farther consideration of the assessed taxes allowance bill were postponed till Tuesday.

The committee of supply was postponed till Monday, and Mr. Vansittart deferred the consideration of the army extraordinaries in that committee till Wednesday.

The committee on the Scotch distillery bill was postponed till Monday.

The customs' fees bill was reported, and ordered to be read a third time on Monday.

MARQUIS WELLESLEY.

Mr. Paull moved, that the first charge against Marquis Wellesley be printed.

Sir Arthur Wellesley opposed the motion, and observed, that it was pretty extraordinary the honourable gentleman should now move for printing this charge, which, three months ago, the House had by its vote ordered to be printed, and afterwards rescinded that vote. The printing at that time, when there was a prospect that the charge might have been taken into consideration in the course of this session, would have been perfectly fair and reasonable, compared with such a measure at this late period of the session, when there was no probability this subject could be taken into consideration, and when the charge, if printed, would not be for the consideration of the members, but for the purpose of going forth to the whole country, as one of the most heavy and criminal charges against his noble relation that ever had been brought against any man in a public situation; when afterwards it would depend entirely upon the discretion of the honourable gentleman, whether he should move the House to take it into consideration next session or not. He objected to the motion also in point of order, as the honourable gentleman had not given any previous notice of such a motion.

Mr. Paull did not conceive himself under any necessity of giving such previous notice by the rules and orders of the House, and persisted in his motion. He disclaimed any such motive as that imputed to him by the honourable relative of the noble lord, and said, that he moved for the printing now, because it would be impossible to understand the subject with a view to its consideration, unless members were enabled to compare the evidence since laid on the table with the several particulars of the charge, in order to see how the charge was supported.

The

The Speaker explained the practice lately established by the sense of the House, and conceived that, agreeable to that practice, the honourable gentleman's motion could not be entertained. But it was for the discretion of the House to direct what should be done.

A conversation of some length, upon the subject of practice and usage on this point, ensued between Lord Folkstone, Mr. Paull, Mr. Rose, Sir John Wrottesley, Mr. Windham, and Mr. Sturges Bourne; the result of which was, that Mr. Paull withdrew his motion, and gave notice for Tuesday next.

Mr. Paull then moved for a copy of any application made by the nabob Vizier to Marquis Wellesley for a loan of 10,000 rupees, from June to August, 1805. Ordered.

Mr. Paull then stated, that General Sir James Craig, a principal witness in the charges against Marquis Wellesley, appeared, by the certificate of his physicians, to be at present confined to his apartments in so ill a state of health as to be utterly unable to attend and give his evidence before that House. According to precedents he then moved, "that the honourable Sir Arthur Wellesley, Mr. Hobhouse, and Mr. Paull, have leave to proceed to the house of Sir James Craig, to take his examination." Ordered. And "that a committee be appointed to prepare questions to be put to Sir James Craig; and that they take his examination, and report his answers to the House; and that the said gentlemen be the said committee."

GENERAL TRAINING BILL.

Mr. Windham having moved the second reading of the general training bill,

Mr. Ryder stated it to be his understanding, in now reading the bill a second time, that after going through a committee, it was to be re-committed, for the purpose of enabling gentlemen, after it had come forth in the most unexceptionable shape, to state their objections to the principle of the bill. He urged this the more strongly as one honourable friend of his, formerly at the head of the war department, had gone out of town on this understanding.

Mr. Fox declared that he had never given any reason to suppose that he would consent to the delay of a measure like the present. If, however, any honourable gentleman had left town under such misconception, he should be sorry to press the bill forward more than was absolutely necessary.

Mr. Perceval understood it to be by no means intended that the bill should be retarded, but that an opportunity should be given of going through the committee, *pro forma*, that night, that it should be recommitted on some future day, and be then discussed.

After some farther explanation between Mr. Fox, Mr. Perceval, and Mr. Windham, the bill was read a second time, and committed. The report was received, and on the motion for taking it into farther consideration on Tuesday,

Mr. Rose suggested Wednesday, as being the better day, the American intercourse bill standing for Tuesday.

Sir R. Buxton thought it advisable that the bill should come forward as early as possible, many gentlemen being anxious to get to the country, which they could not do till so important a bill as this had received a fair discussion.

The farther consideration of the report was then fixed for Tuesday.

MARQUIS WELLESLEY.

Mr. Paull having moved that the House do go into a committee on the charge against Lord Wellesley, for the purpose of hearing further evidence in support of the charge,

Lord Folkestone said, that before the Speaker left the chair he wished to be allowed to say a few words. The right honourable secretary of state (Mr. Fox) had stated how desirable it was that the charge should be got through this session. It struck him, however, that it would be impossible to get a final decision on the case, with justice to the subject itself, within that period. The honourable gentleman who brought forward the charge would be greatly injured by a premature decision of the case, and would be loaded with a degree of responsibility highly unnecessary. The noble lord would only have the disagreeable feeling of a charge having been made against him which had not been decided, a situation to which all persons in high situations must be aware that they were exposed. But he could not see what injury he could thereby sustain. Every person who read the one part of the evidence would have the curiosity to read the other also; and so no more injury would really be sustained than where the public, even after a decision, were entitled to read the evidence on both sides, and to form their own conclusions.

Mr. Paull said that it would be highly conducive to his own

own ease, quiet and convenience, that the present charge was determined during the present session. He, however, declared that he conceived himself as having come under no pledge to conclude the charge during the present session, if the evidence should not have been completely and fully gone through. He was conscious that he had proceeded with a degree of rapidity unexampled in the annals of Parliament, of course it could not be imputed to him as blame if the noble marquis found himself placed in an unpleasant situation. He confessed that one of the charges was of a very serious nature, being no less than that of murder. He held in his hand, however, a copy of one of the charges against Mr. Hastings, containing an unqualified allegation of a foul and atrocious murder against several gentlemen, and among others against Mr. Hastings. Yet that charge was allowed to lie on the table two years before it was gone into. There all the talents, probably great part of the integrity, of this country were friendly to and carried on the prosecution. Here, though he acknowledged, and should recollect with gratitude to the latest moment of his life, the assistance and countenance he had received from the noble lord and other members of that House, the load of preparing the charges, and of maturing the evidence in support of them, had, in a great measure, if not altogether, devolved on him. If he had to receive blame on any account, it was for having given advantages against himself; and if any delay had taken place, it must be attributed to the noble lord (Temple), who, while he (Mr. Paull) had proposed to examine evidence on the 10th, had insisted on the charge coming forward, as he (Mr. Paull) conceived it, then to be finally disposed of, on the 18th June. He declared it to be his earnest wish that the charge should be brought to an issue this session; but considering the state of the House, which it was his object to have as fully attended as possible, he could not feel convinced that such must be the result. It was his determination not to try the decision of the question in such an attendance as he now saw, without moving for a call of the House. The present charge was no more important than others which had been postponed, and which he had still to bring forward against the noble marquis.

Lord Temple and Mr. Paull having mutually explained, the House went into a committee, Mr. Hobhouse in the chair.

Mr. Paull then moved that Mr. Cooper be called in. It appeared that the witness had been a member of the supreme council

council at Bengal, during the years 1798, 1799, and 1800, and the fact sought to be made out from his examination was, how far it consisted with his knowledge that the Marquis of Wellesley had endeavoured to obtain the entire possession of Oude, and failing in that attempt had contented himself with the half of that territory, in lieu of the sum of money payable by the nabob to the company.

Similar objections to questions put for the purpose of learning the witness's construction of the treaty between the nabob and the company, as those made the preceding day, were again urged, and the questions withdrawn.

Lord A. Hamilton, Mr. Paull, and Col. Wood, however, maintained that the witness being a member of the council, and one of the parties to the treaty, he must of all others be best qualified to give an opinion as to the fair construction to be put on it.

Mr. Hurst asked the witness whether the line of conduct pursued by the Marquis of Wellesley was not, on the whole, calculated to promote the British interests in India, and to protect the dominions of the Nabob of Oude?—Witness answered "In the highest degree."

After some farther questions by Mr. Wallace and Sir A. Wellesley, Sir T. Metcalfe asked whether any other governor the witness had heard of, had more frequently or more confidentially consulted the opinion of the government council than the Marquis of Wellesley?—The witness answered in the negative.

Some further interrogatories were put by Mr. Whitshed Keene, Mr. Paull, and Sir William Young, when the witness withdrew.

Mr. Hurst observed that it was a fundamental principle of the law of England, that the accused should be presumed innocent until actually found guilty. Therefore he should feel himself warranted in stating that the noble marquis who was the object of this accusation was innocent, and indeed so far as the evidence had yet gone, nothing but his innocence had appeared. But as it was the object of the accuser to establish the guilt of the accused, he would suggest to him the necessity of bringing forward some evidence congenial to his views. This suggestion he thought it his duty to offer merely for the sake of regularity, without having the honour to know either the honourable member who brought forward the accusation, or the noble defendant.

Mr. Paull maintained that that part of the charge which he had submitted to the House relative to the noble lord's having

having declined to resort to the advice of his council upon matters of great public importance as his duty prescribed, was fully proved by the evidence even of the last witness.

Mr. Airley was called in and examined. His statements, for the most part, went to shew that, in the district where he was magistrate, which appeared to be in the ceded provinces, the zemindars and principal inhabitants, who influenced the mass of the population, were inimical to the British government, in consequence of the introduction of certain regulations, and that they were ripe for revolt. The presence of troops was necessary for the collection of the revenue.

Mr. Beresford, after the witness had been ordered to withdraw, said, that had he not been disinclined to interrupt the business, he would have objected to such questions being put, as they would give information to the enemy.

Major Ouseley was then examined: he had long resided at Lucknow, and was in the habits of intimate acquaintance with the present nabob, in whose employment he is at present. As to his general character he stated, that he was a man of dignified manners, and very princely deportment; that he was well versed in all the literature of the East, and was possessed of an excellent taste in architecture and other arts; and that in private life he was social, and fond of horses, of hunting, and of all field amusements. Notwithstanding the intimate acquaintance that the witness had with him, he never saw any great depression of spirits in him on account of the changes introduced by Marquis Wellesley. His cavalcade was not quite so great as that of his predecessor Asuf Dowla, but it was better appointed. He had now in his stables about three thousand of the finest horses, including about 150 Arabian saddle-horses. He had about 1300 elephants, and in all the other expences of his state he was more sumptuous than before; he went to more expence in building palaces, and furnishing them; and, upon the whole, according to his opinion, had had no reason to be dissatisfied with the change. He had, it was true, changed his turban for a while, and suffered his beard to grow, which in that country was considered as a sign of affliction; but since that time he had appeared perfectly reconciled. When Holkar invaded the Douhab, he advanced ten lacks of rupees, (about 100,000*l.*) of his own free will, to enable Lord Lake's army to march against him; and there was no less than 400,000*l.* collected at

Lucknow for the same purpose. As to the police that subsisted formerly at Oude, nothing could be worse. It was true, there were but few executions by law, but then it was equally certain, that there was no security either for property or life. The country was infected with banditti, who plundered or murdered those who were not well guarded. As an instance of this, he mentioned Mr. Metcalfe (son to Sir T. Metcalfe), who, having gone on a hunting party from his house, was attacked and maimed by some of those banditti, although he had all the necessary Mahratta passports about him. The Nabob himself requested Marquis Wellesley to suggest to him some improvement in the police and government of his country; to which the marquis replied, that he would first try, as experiments, on the ceded provinces, what he thought would be adviseable, and that if they answered there, the nabob could adopt them with greater confidence. The tendency of the remainder of the testimony of this witness was to exculpate the noble marquis from the matters charged against him.

Some questions were put to him, which he declined answering, on account of the violation that it appeared to him that this would be of private friendship and confidence. Some of the questions were then withdrawn.

Upon the examination as to the charge of the marquis having kept all Europeans from advising with the nabob during the negotiations, the witness was asked, had not the marquis accused Mr. Treves of advising the nabob contrary to the interests of the company? The witness objected on the ground that the answer might implicate the character of Mr. Treves, who was then out of England, and in the service of the company. This objection was, however, at length overruled; and upon the witness being again asked the question, he submitted another objection, namely, that he had no sort of knowledge except from confidential letters from friends, which he hoped the House would not urge him to disclose.

A long debate took place in the committee respecting this objection, and upon the motion of Mr. Johnstone, it was ordered that the gallery should be cleared.

Strangers were not again admitted; but after some further examination of Major Ouseley, and of Mr. Johnstone, the chairman had leave to report progress, and to sit again.

At a quarter before two o'clock in the morning the House adjourned to Monday.

HOUSE

HOUSE OF LORDS.

MONDAY, JUNE 23.

The House met about half past two. Counsel were heard, and evidence examined on Simpson's divorce bill, which was read a second time. The other bills on the table were forwarded in their respective stages, and the House adjourned.

HOUSE OF COMMONS.

MONDAY, JUNE 23.

Sir John Newport brought up the Irish militia volunteering bill, which was read a first time, and ordered to be read a second time on Friday.

The Irish school bill was committed; report the next day.

The land tax commissioners bill was read a second time, and ordered to be committed on Friday.

Mr. Vansittart presented a report of the comptrollers of army accounts. Ordered to lie on the table.

Sir John Newport moved that the Irish election bill be committed, with a view, he said, to have the blanks filled up, and to have the bill printed as amended, in order that it might, in this state, get into the possession of the public. But he was so convinced of the fitness and the propriety of this bill, and that the more it was considered, the more favourably it would be received, that he would abandon it for the present session, pledging himself to bring in a bill at the commencement of the next session, upon the same principle, and with the same provisions. This he did that there might be no objection as to the point of time and notice, and that no one might say that he took advantage of the influence of his official situation, when he wished the bill to rest entirely on its own merits.

Colonel Vereker would not object to going into the committee, as the bill was to be abandoned, but he would oppose any future bill of this kind, and all the corporations of which he was a member, to the number of six, would petition against it. He conceived it to be founded in injustice, and that it was an attack on the charters of the corporations. He trusted he should be enabled to prove that the

the motive for bringing it into the House, was on account of the city of Waterford alone.

The bill was then committed, and the report was ordered to be received that day two months.

The report of the committee on the Newfoundland trade was committed. In the committee, Mr. Vansittart moved that fish should be allowed to be imported, for a time to be limited, and that a bounty of three shillings per cwt. of fish should be granted. This was agreed to. Report the next day.

The excise office regulation bill, and the custom-house fees bill, were read a third time and passed.

The Irish spirit licence bill was committed. Report the next day.

Sir John Newport gave notice that, early next session, he would move for leave to bring in a bill to remove all obstructions to the trade between Great Britain and Ireland, as far as the same was practicable.

A petition was presented from the British fire insurance office, against the Globe insurance company incorporation bill. Ordered to lie on the table.

Mr. Hobhouse brought up the report of the West India trade bill. After a few words from Mr. Canning, the report was ordered to be further considered on Wednesday.

The stamp office regulation bill was committed. Report the next day.

Mr. Paull moved for copies of the treaties concluded with the Nabob of Oude, from 1765 to 1801. Ordered. He then moved that the order for the account of the net revenue of Oude should be complied with forthwith.

Mr. Paull, as he understood that the general training bill was to be discussed the next day, postponed his motion for the printing of the first charge against Marquis Wellesley till Wednesday.

Lord Howick moved, that Mr. Giles and others should be added to the committee to which the surgeons' petition was referred. Ordered.

DISABLED SEAMEN.

Lord Henry Petty appeared at the bar with a message from his Majesty. This being brought up was read by the Speaker as follows:

"*G. R.*

"*G. R.*

"His Majesty having taken into his most serious consideration the expediency of making a more effectual "provision for aged, disabled, and wounded seamen, is "desirous of procuring the assistance of his faithful Commons towards attaining this desirable object; and his "Majesty has been pleased to declare, that he is willing to "grant such part of the property arising from prizes to be "condemned, as to the wisdom of Parliament shall seem "proper, for the benefit of Greenwich hospital and the "chest at Greenwich, in such a manner as may be settled "by act of parliament."

This message was ordered to be referred to a committee the next day.

AUDIT OF PUBLIC ACCOUNTS.

Lord Henry Petty rose, in pursuance of the notice which he had formerly given, to submit to the House a plan for the more effectually auditing of the public accounts. The House would do him the justice to believe, that after the views which he had stated on a former occasion on this subject, and the sense which he entertained of the magnitude and pressing nature of the evil, no unnecessary delay had taken place in bringing forward this plan, but that every moment had been employed in the investigation of the subject, and providing means for obviating every possible objection. He was glad, however, that he was enabled, notwithstanding the difficulties that stood in the way, to move for this bill before the conclusion of the present session of Parliament. Without going over the grounds over which he had formerly travelled, or entering upon statements which had then appeared to convince the House of the necessity of doing something for the purpose of having this mass of accounts audited, he would content himself with laying before the House the basis of the plan which he had in view, and mentioning the amount of the accounts which remained unaudited, with respect to which he had now more full and correct information than he had when he had before occasion to address the House on this point. When this was considered it would be a proof, not, certainly, of the efficacy of the measure which he was about to propose, but undoubtedly of the necessity of doing something. He would afterwards shew that this method was the only one which was likely to be attended with the desired success. The amount of accounts unaudited was greater

greater than he had before stated. The amount of accounts delivered in was above fifty-two millions; the amount of accounts under examination was 169 millions; the amount of army accounts not delivered in was 209 millions; of navy accounts not delivered in 100,820,000*l.* which added to three millions of unaudited accounts in another department, made a total of about 534 millions of money. That enormous amount of unaudited accounts, it was the object of the present administration, as far as in them lay, to endeavour to audit. He had before mentioned that a great step had before been taken for that purpose, to which an addition had been made last year, which was infinitely better calculated to answer the purpose in view, and which would form a considerable part of the institution that he was now about to submit to the House. He would now state the plan more distinctly. But first he ought to observe, that the two comptrollers of army accounts were to be separated from it entirely, a measure, the expediency of which had been already recognized. After this separation it was intended to consolidate the two existing boards, and to add four commissioners: one of these would be a chairman, with an increase of salary. It was intended that the application of these boards to any particular business relating to the accounts, as occasion might require, should be left in the hands of the treasury, which must be best able to judge how the business ought to be apportioned. At present, however, it was proposed that out of the ten commissioners four should be entrusted with the auditing of the current accounts, and these would form the first board. The second board would consist of three commissioners, and these would have the charge of those accounts which were now under examination. The third board would also consist of three commissioners, whose business it would be to bring up those accounts which were entirely in arrear, and not entered on at all. This was what at present appeared to be the most useful arrangement. At the same time it would be expedient to leave the power with the treasury to alter it as they should see occasion, because the treasury would have the best opportunity of observing how the different boards wrought, and what might be the most effectual mode of carrying speedily forward the great work which must be managed in some manner or other. Whatever errors therefore might occur, the treasury would be enabled to rectify them and to make up in some measure for any defects which might escape the notice of Parliament in passing the

the bill. As the establishment was by this plan undoubtedly considerably increased in the first instance, it was proposed to have the advantages of this increase with as little expence to the public, and with as little additional power to ministers as possible. With this view a provision would be introduced into the bill, by which in no instance in case of a vacancy by death could the loss be supplied till the number was reduced to five, without coming to Parliament, and on such occasions the House would have an opportunity of discussing the necessity for, or the expediency of, the several appointments, and of ascertaining how the work went on. This would afford employment to the ten commissioners till they were reduced to the permanent number, which was six. But in the event of the business getting on faster than was expected, a thing not very likely to occur, there was a provision by which the Commons, by address to his Majesty, might suppress any of the commissions. However, Parliament would have the whole under its own eye. But the great provision respecting the current accounts was, that there should be a compulsion extending to all accountants, by which they must send in their accounts from year to year. He had once some doubts whether this provision could be now introduced, but he had the satisfaction to find, upon examination, that it might be done, and accordingly this provision was introduced into the bill. It was proposed, within the space of three months from the 31st of December in each year, every accountant should send in an acoount of his receipts and expenditure for the year preceding, together with the vouchers connected with them; and it was moreover proposed that immediately upon these accounts being given in, an examination should forthwith be entered upon, and a comparison take place between the accounts and the vouchers, so that they should at least be so far examined at the time they were delivered. And also in those cases where officers must, from the necessity of circumstances, examine their accounts at different periods, it was proposed that the accounts should be given in there three months before that period, instead of the three months from the 31st of December, as in other instances. Another part of the bill, though a subordinate one certainly, was to enable the accountants to have their accounts attested wherever they should be, before any of the commissioners of the exchequer, which, as these were spread over the whole country, would be a very great convenience.

ence. Another part of the bill he considered as of great importance, and that was the provision by which all those public officers who authorised the expenditure of the public money, should be charged with that expenditure, and made accountable for it. He mentioned the instance of a general officer who in the West Indies during the last war, had authorised the expenditure of 200,000*l*. By mere accident he had not a commissary with him. If there had been a commissary, as the commissary would expend and the officer would have the controul over him, neither of them could be charged with it. As it happened, however, the officer was responsible, and when that account came to be examined it was disallowed. It was therefore provided, that all who authorised the expenditure of money should be responsible; but at the same time an appeal was allowed them to the exchequer in case they felt themselves aggrieved. It was also provided that when accountants paid in any part of the funds which had been issued to them into the proper office, they should be considered as so far acquitted. There now remained only to state the authority which was to be committed to these commissioners. The nature of this authority was to remain as before, but to be extended over all persons who had the care of stores, &c. &c.; all which persons they should be empowered to call before them. In addition to this, it was proposed that the comptrollers of the army should have the power of calling all persons before them who were concerned in the military expenditure of the country, and their powers were to be placed exactly on the same footing as they were when the commission was first created in the reign of Queen Anne. These comptrollers were to be the advisers of the treasury in all matters connected with the military expenditure, and in case any persons for whom they called should refuse to appear, which he was told was sometimes the case, they should have the power of imposing a fine on all such persons. There was one thing more which it was incumbent on him to state, and that was, that where the stores were embezzled a valuation was to be made, and the persons who had the care of those stores were to be charged with the amount according to the valuation. He had now stated the principal particulars of the plan which it was proposed to carry into execution, for the auditing of the public accounts. If any thing further could be suggested for this great object it would be thankfully

thankfully attended to. As to the importance of getting rid of this mass of accounts it was too obvious to require any comment. But as to the patronage that might thus be conferred on the treasury, that was a point which he wished to be thoroughly investigated, as an opinion seemed to be entertained by some that there was a design in this to augment the patronage of the treasury. All he could say at present was, that both his noble friend (Grenville), and he himself, were extremely anxious to avoid any thing that could have the tendency of giving patronage to the treasury, and if there could be any other mode by which the end proposed could be effectually answered, that mode would be gladly adopted. But what scheme could be proposed, that could be equally well calculated to attain the desired object, and yet keep free of the alleged objections, he could not at present possibly conceive. In addition to that he could safely say, that the utmost attention had been paid to the means of limiting that patronage as much as it could be done in consistency with the attainment of the object of the measure. He had stated how the commissioners were to be replaced till they were reduced to five in number; and as to inspectors, for some inspectors there must of necessity be, it was intended to select them entirely on account of their merits, and the selection would be made from the most meritorious commissaries on half-pay, by which means the whole amount of their half-pay would be saved to the public. The examiners would be taken from the clerks now belonging to the boards, and every thing would be done to render the measure as economical and efficacious as possible. With regard to a large class of accounts, he had been told that they were subject to no risk, and that they were only mentioned with a view to swell the list of the commissioners. That some of the accounts were of this description he was by no means disposed to deny—but still the labours must be gone through, and these accounts must be examined. But as to the point of risk, it sometimes happened that there was some risk, where, at first view, there appeared to be none. There were instances of this even in the bank account. He mentioned one instance, in which 700,000*l.* had been issued from the bank to one individual in the West Indies. He had been on a former occasion accused of ignorance on this head, and told that the account of Valentine Jones had no more to do with the bank than it had to do with the

hackney-coach office, a comparison which the right honourable gentleman's (Mr. Rose) experience enabled him to make. He would state the particulars of that transaction, and leave the matter to the judgment of the House. In the year 1797 several bills had been drawn on the treasury, which applied to the bank to discharge those bills, and bills to the the amount of 1,600,000*l.* were discharged, and when the subsequent loan was made the bank detained the amount. They presented their accounts to the auditors, the latter refused to allow the sum which had been drawn by Mr. Jones, which the bank had also withheld. In 1798 an *ex post facto* clause was introduced into the loan bill, sanctioning this conduct of the bank, empowering the auditors to admit the account, and making Mr. Valentine Jones insuper on the bank account. This sum, therefore, had something more to do with the bank account than it had to do with the hackney-coach office. He would not accuse the right honourable gentleman of ignorance on this subject; he would only call it a sort of want of recollection. Undoubtedly, however, he allowed, that with regard to the far greater part of the bank account there was no risk, and as to the paymaster, he allowed that the paymasters themselves were very honourable persons, yet the persons under them abroad, and in many places at home, might be of a very different description. But, however, he could not go on describing the different shades which might be pointed out on these topics. All that he wished to do was, to show, that great risk was, upon the whole, sustained from the unaudited state of the accounts. Besides this, he had no doubt that considerable sums might be recovered; and, at any rate, the example would be beneficial, and produce a considerable effect on all those who were entrusted with the public money. In this view the measure would be of immense utility. It had been said that the war office particularly required revision. In that he most perfectly agreed, and it was certainly extremely desirable that a new distribution and new regulations could be made in that office. But so many points had come under consideration, that he was not prepared with any measure respecting the war office at present. But this, however, would most certainly be speedily attended to; in the mean time the want of this would not take away from the value of the measure now proposed, as far as it went. He pledged himself that next session he

would propose some plan to regulate the accounts of the war office; but in the mean time we ought to proceed immediately with all that could be done for the present. He concluded by moving for leave to bring in a bill for consolidating the two boards of commissioners, and for the more effectual auditing the public accounts in arrear. On recollecting himself after he sat down, he rose again and stated that the expence of the permanent commission would be less by 1000*l.* a year than the expence of the establishment at present. The expence of the present establishment was 28,000*l.*—that of his permanent commission would be 27,000*l.*; the expence of the temporary addition would be 14,000*l.* more, which would make it in all 41,000*l.*

Mr. Rose followed the statement of the noble lord, but in so low a tone of voice, that we could not collect his observations with a satisfactory degree of accuracy. His general deduction, however, was, that out of the whole 534 millions stated by the noble lord to be wholly unaccounted for by the commissioners of public accounts, and for the investigation of which he lately professed to bring forward the present measure, only eight millions really remained unaccounted for. The rest were, to all intents and purposes, accounted for as satisfactorily as was possible, though, perhaps, the whole had not passed the commissioners of accounts; and of this eight millions, the only part upon which investigation could attach, with any hope of recovering a shilling for the public, was about 99,000*l.* So that the construction of all that expensive system of machinery proposed by the noble lord, of increasing commissioners, accountants, and all the other train of subordinate officers, was, in fact, doing nothing for the public. With respect to the accounts in the West Indies, an act passed in the last year for appointing new commissioners to follow up the enquiry in that quarter, from which commissioners no report had yet been made. In his opinion, therefore, it would have been much more advisable for the noble lord to have waited for the report of those commissioners, and taken more time to consider and mature his plan, instead of precipitating the country into so much useless and unnecessary expence. Having concluded his observations upon the propositions of the noble lord, whose chief object seemed to be the censure of a former administration, and to create unnecessary patronage, he would now beg leave to advert to some allusions made

personally to himself, on a former night, by a noble lord opposite to him (Lord Howick), and a right honourable and learned gentleman (the Attorney General), now in his eye. It had been observed that observations from him, tending to condemn the creation of sinecure places, came with a peculiar ill grace; and allusions were made to sinecure places and lucrative appointments which he was supposed to possess. On this point it was necessary to explain to the House the fallacy of such allusions. For the place he held under the administration of his late right hon. friend, as secretary of the treasury, he had resigned a certain, permanent, and lucrative employment producing him 5,400*l.* a year, arising from fees, to take up a precarious one, which reduced his income to 4,500*l.* a year; this income the lords of the treasury were afterwards pleased to reduce by a new regulation to 3000*l.* a year, and upon the former resignation of his right honourable friend, he resigned this without any provision whatever. On the return of his right honourable friend again to office, he accepted of another office, which he again resigned without any provision; and as to the employment which he now held, it was one which had been usually conferred in reversion for a series of five centuries, and was given to him on a similar footing, upon a reversion of two lives, one of which continued six years after he obtained the promise; and the other was, at the time, of his own age, and a life in every respect as good, and as likely to last as his own. This grant was the only favour he ever asked for himself or any of his family, close as were the friendship and intimacy which had for above seventeen years subsisted between himself and his late right hon. friend; and he believed that he, in this instance, stood the single exception to all men who had ever preceded him in office, under similar circumstances. The office of Secretary of the Treasury was after its first reduction, upon further consideration of the Lords Commissioners, raised to 4,000*l.* a year; and he was convinced that any man who considered the talents requisite to fill the situation, and the laborious extent of duties it involved, would not consider this salary at all immoderate; but besides this, it placed the man who held it in such a situation, as that no gentleman filling the office, could save one shilling from the income. He had heard that rumours prevailed without doors respecting the immense emoluments amassed by him, but without deign-

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ing to take any notice of such assertions; when, however, such allusions were made within those walls, he felt it his duty to answer, and he trusted that he had now satisfactorily refuted them. When his right honourable friend had formerly retired from office, he believed it was fully in the recollection of the right honourable gentleman (now a noble lord), who succeeded him, that he had been earnestly solicited to continue in office, but positively declined it; nor would he act under any other administration than that of his right honourable friend, while he lived; and he could now appeal to the noble lord at the head of the administration, whether he had not repeatedly pressed him to appoint a successor in the department he filled; so far was he from feeling any solicitude to continue in office. The part he had taken in this House since the change of administration, was one which he thought became him. He had vindicated the conduct of his late right honourable friend, and the administration in which he presided, from the censures so continually cast on them by the noble lord and his colleagues: and he could assure the noble lord, that, had it not been for those censures, he would have continued as silent a member since, as he had been before his departure from office.

The question being put, leave was given to bring in the bill.

MARQUIS WELLESLEY.

Mr. Paull now moved the order of the day for resuming the committee upon the charges against Lord Wellesley.

The House accordingly resolved into a committee, Mr. Hawthorne in the chair.

Colonel Baines, who had been aide-de-camp to Sir James Craig, was then called in and examined by Mr. Paull, on the number of troops kept in the territory of Oude.

Mr. Strachey, who was one of the Judges in India, was also examined, principally as to what he had observed as to the opinion of the natives relative to the changes made by Lord Wellesley in the territory of Oude. His answer amounted to this, that some seemed to approve and others to disapprove of them.

A conversation then ensued as to the propriety of examining Captain Salmon, who had been superintendant and auditor of accounts in India, on the fairness of the estimates lying

lying on the table of the expences of the troops employed in the Nabob's territories, and charged against him by the Company.

Mr. Paull and Dr. Laurence thought his evidence would come with more propriety when certain other accounts, which had been moved for, and which would go to shew the fallacy of those now before the House, were produced.

Sir A. Wellesley, Mr. W. Pole, Mr. Hurst, &c. on the other hand, argued, that Mr. Salmon must be qualified at this moment, as being superintendant of accounts, to say whether these accounts were or were not correct. If there were occasion for examining him anew, the honourable gentlemen could move for it. The witness was then called in, and he in general stated that the orders of the Marquis Wellesley were, in making up the estimate of the extra troops employed by the Company in the service of the Nabob, rather to underrate than overstate the expence.

Being cross-examined, however, by Mr. Paull, he admitted that the calculation as to a regiment of infantry or of cavalry, &c. specially referred to the particular regiments employed in Oude.

The examination of this witness being finished, the chairman reported progress, and asked leave to sit again.

On the motion of Mr. Paull, there was then ordered to be laid before the House an account of the extra expence paid by the East India Company for the number of troops stipulated to be engaged by them for the Nabob of Oude, from the first of November, 1799, to the 1st of November, 1801.

The other orders of the day were postponed, and the House adjourned.

HOUSE OF LORDS.

TUESDAY, JUNE 24.

In the appeal "Graham *v.* the Countess Dowager of Glencairn," the Lord Advocate of Scotland and the Solicitor General for the Respondent, and Mr. Alexander, in reply, were heard by Lord Ellenborough. Further proceedings postponed till Monday se'nnight.

The Tortola free port bill was read a third time and passed.

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The Lord Chancellor having resumed the woolsack,

Mr. Alexander, and several other members of the House of Commons, brought up the custom-house fees bill, the excise regulation bill, and some private bills, which were read a first time. The two former were ordered to be printed.

The Gibraltar and Malta postage bill, the Prussian yarn bill, and the additional assessed taxes bill passed through committees and were reported.

The Earl of Warwick rose to state to the House, that he had, some time before the decease of the late minister, submitted to him a proposition relative to the subject of taxation, which had been examined and approved of by men of the most distinguished ability. He had also submitted it to the present administration, in the hope that they would have brought forward some measure founded upon it. He now only wished to say, that unless he found them disposed to lay it before Parliament, he should feel it to be his duty to do so; being convinced that, under existing circumstances, it would prove eminently conducive to the salvation of the country, inasmuch as it was founded on a principle applicable in a fair and equal proportion to the means of every individual.

Lord Grenville presented a message from his Majesty, relative to encreasing the pay of seamen, similar to that presented the preceding day to the House of Commons. His lordship said, he thought it wholly unnecessary to enter into any argument upon the subject, as all their lordships must be convinced of the utility and propriety of the measure. He should, therefore, merely move an address to his Majesty, concurring in the object of his Majesty's message.

The address was agreed to, and ordered to be presented to his Majesty by the Lords with white staves.

SLAVE TRADE.

A short conversation took place between the Earl of Westmoreland and Lord Grenville, relative to the propriety of hearing counsel on a petition, presented on a former day by the noble earl, against the abolition of the slave trade. Lord Grenville objected to hearing counsel, and no motion being made by the Earl of Westmoreland, the former noble lord moved the order of the day for taking into consideration

ation the resolution of the House of Commons relative to the abolition of the slave trade, which being read,

Lord Grenville said, that upon this subject, after the repeated discussions and the minute investigations it had undergone for twenty years, he did not think it necessary to take up much of their lordships' time. The resolution of the House of Commons contained a conclusion drawn from certain premises, and the question now was, whether those premises were correct; and, if so, whether the conclusion drawn was correct. The resolution stated that the slave trade was contrary to humanity, justice, and sound policy, and ought to be abolished. That the trade was contrary to humanity could not surely be doubted for a moment, nor did he believe there was one man to be found who would venture to declare that this trade was in the least degree consistent with humanity. Let it be considered in the three stages of its progress: first, dragging away the unfortunate Africans from their homes, their families, and their comforts; next, the transfer of them from thence to the West Indies; and lastly, the treatment of them whilst there; and in all it would be found most inhuman. The means that were adopted to drag the unfortunate victims from their homes, were in the highest degree cruel, and at the same time contributed to keep up a continued system of barbarism in Africa. Torn from all the tender and social ties from which they derived their happiness, and feeling poignantly the miseries of the condition imposed upon them by our traders, they were doomed to endure still greater miseries in the transfer from thence to the West Indies. It was impossible for any man, however steeled his heart, to read of the horrors of the middle passage, of the treatment which these poor negroes experienced, or the miseries which they endured, without shuddering at the recital. Arrived in the West Indies, a new scene of misery opened to their view. Goaded with the lash they were compelled to labour from morning till night beneath a burning sun, and under the oppressive tyranny of task-masters set over them by their owners, and though they might sometimes be mildly treated, yet it could not be denied that nothing was a greater corruptor of the human heart, than arbitrary power, nor could be a greater temptation to the abuse of power, than situations where, as in the West Indies, a white overseer, amongst a great number of

of negroes, had it in his power to ill-treat them in the grossest manner, whilst they could not be legal evidence against him in any of the courts of justice. That the trade was contrary to justice was clearly in his mind established; the principles of justice as amongst the individuals of a nation applied equally amongst nations, and nothing could be more contrary to justice than robbing men of the fruits of their industry, without giving them any compensation, as was the case with those unfortunate negroes, the fruits of whose industry was wrested from them, they receiving nothing in return but an aggravation of the injustice, the bitter portion of slavery. That what was contrary to humanity and justice, must also be contrary to sound policy, it was unnecessary to argue. As to any argument set up respecting the profit of the trade, it would serve to justify robbery, or any other crime. On grounds of policy, however, he called upon those who advocated the cause of the planters, to agree to the abolition. Those persons who were best qualified to judge of the state of our West Indies, had declared that the abolition of the trade was necessary to prevent the ultimate destruction of these colonies; and with the example of St. Domingo before their eyes, it surely could be no longer problematical that the more they increased the number of negroes, the more they increased their danger, the more they increased the means which threatened their destruction. The great mortality which took place amongst the negroes, was amongst those who had newly arrived in the islands, but there was no reason to believe that any similar mortality would exist amongst the negroes seasoned to the climate; on the contrary it might be confidently expected that a sufficient stock might be kept up without any fresh importation. From all the arguments and facts which the subject afforded, he was decidedly of opinion, that the conclusion that the trade ought to be abolished was correctly deduced from the premises contained in the resolution of the House of Commons, and he should, therefore, move a similar resolution, concurring with that of the Commons; and though, in his individual opinion, the best abolition would be an immediate abolition; yet, in deference to the opinion of others for whom he had a high respect, he would wish the subject to stand over for mature deliberation next session. His lordship concluded by moving a resolution to the effect he had stated.

Lord Hawkesbury concurred with the noble lord in opi-

nion, that if a trade was carried on which was contrary to humanity and justice, there could be no question as to its being contrary to sound policy. This, however, was not the way in which he viewed this question. It was not upon abstract principles, that the question as to the abolition of the slave trade ought to be considered, but as to its practical effect, and in this view of the subject, the noble lord had advanced principles in the course of his speech, which he did not venture to sanction in the motion with which he concluded. The same principles upon which the noble lord condemned the slave trade, applied with equal force to the state of slavery itself, but he noble lord would not venture to bring forward any measure founded upon these principles, as applying to the actual state of slavery in the West Indies. This, therefore, shewed the fallacy of bringing forward abstract principles, without at the same time looking to the practical effect. He did not believe that our ceasing to trade to Africa for negroes, would be of the slightest benefit to the people of that continent, nor did he believe that one slave less would be imported on account of our giving up the trade: the only effect would be, that British capital would be transferred to foreign islands, that the trade would be transferred to other hands, where the same regulations for ameliorating the condition of the negroes in their passage did not exist, and that thus no benefit would practically result from the measure. Slavery was undoubtedly an evil, and the slave trade was an evil; so many other evils existed, particularly comparative evils in the state of human society; but it did not follow that every evil was to be abolished, without reference to the practical effect of such abolition, as, in such case, a greater evil might be produced by the sudden change than previously existed. The instance of St. Domingo, adduced by the noble lord, made more against than for his argument, as the horrid revolution in that island was caused by abstract principles, embodied in the form of legislation in the mother country, without reference to the practical effect, or to the policy of carrying such principles into execution. With respect to the resolution itself, he did not see that it led to any practical conclusion, nor did he think it a right mode of proceeding to adopt a general resolution, containing an abstract principle respecting the abolition of the slave trade, without having previously considered the practical

practical means by which that trade was to be abolished, or the practical effect which would be thereby produced.

The Bishop of London coincided in the arguments used by Lord Grenville, in support of which he quoted several passages from the evidence relative to the slave trade before the House, and from works written on the subject, to prove the inhumanity and injustice exercised in carrying on the trade; and also that there was every reason to believe, that the stock of negroes in the islands might be kept up notwithstanding the abolition of the trade. Some of the advocates of the trade, his lordship observed, had attempted to quote scripture in support of it, but these men-stealers, which actually meant dealers in slaves, were classed with robbers and other criminals. He deprecated the continuance of the trade, which was not only contrary to humanity and justice, but likewise contrary to the express dictates of the Christian religion.

The Lord Chancellor warmly supported the motion of Lord Grenville. His lordship pathetically described the horrors attendant upon the slave trade, in first dragging the unfortunate negroes from their homes, and subsequently conveying them to the West Indies. Of the former part of the trade he had only a glimpse, but that was sufficient to instil into his mind the most horrid ideas of the nature of the trade: of the latter he was an immediate witness, and nothing could be conceived more horrible. He had not on former occasions expressed his opinion upon this subject, not having been present at any of the discussions it had undergone: he now, however, declared himself decidedly hostile to the further continuance of this traffic.

The Earl of Westmoreland opposed the resolution. He argued that it either went to pledge the House to the abolition of the slave trade, or it did not. If the former, why was it not founded on previous enquiry into the nature and effects of that trade; but if no such pledge was intended, what would be the effect of the present resolution? He entered into a defence of slavery, as consistent with the law of nations, and as practised among all the nations of antiquity, and even authorised by the Jewish code, while it was not expressly prohibited by Christianity.

The Bishop of St. Asaph spoke with energy of the effects of slavery, as degrading the slave below the condition of humanity, and as depriving him of the power of directing his own exertions, whether mental or bodily. Though

slavery had been practised among the antients, yet they did not carry on the traffic in large fleets as now conducted, and they had nothing among them that resembled the model of a slave ship. He entered into an explanation of the Jewish policy with regard to slaves, contending that it was mild, and that it directed the manumission of the slave after a certain period. He concluded by appealing to the justice and humanity of their lordships in support of the resolution.

The Earl of Suffolk argued on the same side of the question.

Lord Holland entered into a review of the arguments of the noble Earl (Westmoreland) who opposed the resolution. He observed, that in Barbadoes, Antigua, and several other islands, the importation of slaves had of late been trifling, while the produce of these islands had not decreased; and in Virginia, where no importation had been allowed, the increase of negroes had been almost as rapid as that of white men. The importation of slaves, therefore, was not necessary to the cultivation of our colonies; and the preventing that importation would so meliorate their situation, that in the natural and necessary course of things, they would multiply so as to supply every demand that an increased cultivation might occasion.

Earl Fitzwilliam felt rather alarmed at the consequences the resolutions might produce, but could not help feeling disposed to support them.

Lord Viscount Sidmouth could not agree to the motion. He thought the most effectual mode of abolishing the trade would be, to improve the situation of the negroes in the West Indies, and thereby ultimately to render further importation unnecessary.

Earl Stanhope, Earl Grosvenor and Lord Ellenborough all spoke in favour of the motion.

The House divided.

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Majority in favour of the motion	21

Lord Grenville moved to present an address to his Majesty, praying that his Majesty would be graciously pleased to negotiate with foreign powers for the purpose of procuring the general abolition of the slave trade; which was agreed to. Adjourned.

HOUSE OF COMMONS.

TUESDAY, JUNE 24.

On the motion of Sir A. Wellesley the evidence taken before the committee of the whole House appointed to consider the charge against the Marquis Wellesley relative to the Nabob of Oude, was ordered to be printed.

A gentleman from the custom-house presented an account of the quantity of foreign linen imported for the three years ending 1st January, 1806.

Mr. Robert Thornton brought in the East India shipping regulation bill, which was read a first and ordered to be read a second time the next day.

Mr Giles brought up the report of the committee appointed to inspect the journals of the House of Lords, relative to the impeachment of Henry Lord Viscount Melville, which was ordered to lie on the table and to be printed.

On the motion of Mr. Hobhouse the second reading of the Nabob of Arcot's creditors' bill was postponed till Monday.

On the motion of Mr. Vansittart the farther consideration of the report of the assessed taxes allowance bill was postponed till Thursday.

In a committee on the Scotch distillery laws, the regulations now in force were repealed, as being provided for in the new bill.

On the motion of Mr. Hobhouse, the committee on the Oude charge was postponed till the next day.

The Irish spirit licence and the Irish stamp-office regulation bills were reported, and ordered to be read a third time the next day.

Mr. Vansittart gave notice of his intention to move the next day for a committee to consider so much of the post-office laws as relates to the carriage of letters.

The Solicitor-General gave notice that he should, on Thursday, move for leave to bring in a bill to alter and amend the bankrupt laws, in order to obviate as much as possible the evils attendant on the commission of secret acts of bankruptcy, and for enabling persons who may have contracted with the bankrupts after such period, to prove their debts under the commission.

Mr. Foster having moved the order of the day for taking into

into farther consideration the report of the linen drawback bill.

Mr. Stewart moved that the said bill be re-committed.

In this he was supported by Mr. Dawson, Sir John Newport, Mr. Foster, Mr. Rose, and Mr. Alexander, all of whom contended, that in proposing the blank to be filled up with the 25th of November, instead of the 25th March, they asked no more for Ireland than she had been promised, and would have received in August last, but for a mistake. All that they now demanded was that the linen trade of Ireland should not be placed next year in the same situation in which it was now.

Mr. Magens contended that there was a fallacy in supposing that any mistake had been committed.

Lord Henry Petty desired gentlemen to consider that there were two parties here equally entitled to consideration. The manufacturers of Ireland, who complained that by a mistake which had occurred, an advantage was given to foreign linens over them in the British market; and the British merchants, who trusting to the faith of that House as declared in an act of parliament, had embarked their capitals in the importation of the species of foreign linen objected to. It was but reasonable that the faith of Parliament should be preserved to the latter, by enabling them to fulfil their engagements for the present year; and, at the commencement of next session, both parties would have it in their power to state their case to Parliament.

On the question of re-commitment the House divided.

For the re-commitment -	30
Against it - - - -	40
Majority against the re-commitment	10

Report to be considered the next day.

GREENWICH HOSPITAL AND CHEST.

Lord Viscount Howick moved the order of the day for the House going into a committee on his Majesty's message of the preceding day.

The House having accordingly gone into the said committee, Mr. Alexander in the chair,

Lord Howick stated, that one of the principal objects of his Majesty's most gracious message was to recommend to that House, and to assist them in the task of providing for seamen wounded in the service, or when from age they should be unqualified to make any farther exertion for their country, a more adequate allowance than that which they

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at present had. Gentlemen were not altogether unacquainted, from a perusal of the papers on the table, with what he meant to propose; and the same papers would also go far to establish the points which he should now have to state to the House. The establishment of Chatham chest was some time ago transferred to the chest of Greenwich. Greenwich Hospital itself was exclusively confined to the relief of those wounded in the service. It was his intention now, however, to propose that it be extended to all who were no longer able to serve, and that the allowance should be increased as to both. When he stated that the out-pensions were only 7*l.* and that they had not been increased since the year 1663, when the very great increase in the expence of living since that time was considered, and the very meritorious nature and immense magnitude to this country of the service performed, were taken into consideration, it would not be thought very extraordinary that some addition should now be proposed. The revenue of the hospital at present amounted to the sum of 126,811*l.* and the actual expenditure to 114,544*l.* leaving a surplus revenue of 12,267*l.* He proposed in the slightest cases of injury, and where the service had not been of long duration, to continue the pension as it now stood, at 7*l.* and to raise it as circumstances might warrant, to the highest sum, being 1s. a day, or 18*l.* per annum. This discretion of judging in what cases the highest pension should be given, he proposed to leave in those hands where he thought it might with the greatest safety be entrusted—he meant the lords of the admiralty.—This he estimated at 17,000*l.* per annum; and to provide for the deficiency he meant to propose to raise 5 per cent on all prize money and bounty for the capture of ships, as it should become due. In aid of this intention his Majesty had been pleased to signify his pleasure to grant a similar allowance out of the droits of the admiralty. The whole prize money so to be made, it was calculated might amount to 1,250,000*l.* He did not incline, however, to estimate it at more than 1,000,000*l.* Five per cent. on this sum amounted to 50,000*l.* One part of this sum applied to the purposes of the chest, and the remaining two-thirds to the purposes of the hospital, was the manner in which he proposed that it should be divided. One-third, therefore, to be applied to the chest was 16,666*l.* leaving a surplus on the total revenue in the time of war of about 11,000*l.*

In

In time of peace it was naturally to be seen there must be a great deficiency. The expence, however, would then be greatly less, and in time of war the surplus to be accumulated would in some measure be providing for the defalcation in time of peace. There were certain revenues too, which it was to be expected would very speedily be greatly encreased, in particular from a rise on the rents of certain farms belonging to the hospital, estimated at 4,000*l.* per annum additional. There would also, it was computed, be at the end of the present war 200,000*l.* of forfeited prize money, the interest of which would go to keep down any deficiency. In this way he submitted that any deficiency which might arise could not produce any uncommon apprehension in the mind of the House. In time of war it was obvious there must be a considerable surplus, and in time of peace it was to be hoped the deficiency would not be of an alarming magnitude. The chest was founded in the year 1596, but it was not put on any regular establishment till the following year. Those who received from the hospital were not entitled to get any thing from it. The allowances from the chest were in this manner—For total loss of sight 12*l.*; for loss of an arm 8*l.* These he proposed to increase—loss of sight 20*l.*; loss of an arm 16*l.*; and so in proportion. This he computed would produce an additional expenditure of 17,000*l.* a year. The present expenditure of the chest amounted to 46 or 48,000*l.* a year, and the revenue of it to 63,000*l.* To provide for the proposed extension there would fall to be added the other two-thirds of the prize money and droits, amounting to 32,000*l.* leaving a surplus in time of war of 21,000*l.* though in time of peace there must be a considerable deficiency. He had also to propose a small allowance to the half-pay of masters and of lieutenants. These he did not consider to be acts of liberality, but of strict justice, and they were such as he was convinced the House would not feel inclined to object to. He concluded by moving, that out of all prize-money or bounty for the capture of ships of the enemy, the sum of 1*l.* 13s. 4d. for every 100*l.* be granted to Greenwich hospital; and that out of all such prize-money, &c there be granted on each 100*l.* the sum of 3*l.* 13s. 6d. to Greenwich chest.

These resolutions were agreed to, and the report ordered to be received the next day.

Lord Howick then gave notice that he should the next day

day move for a committee to consider so much of the said acts as concerned the granting of bounty-money for ships of the enemy taken or destroyed.

A message was received from the lords, stating that their lordships had agreed to the Tortola free port bill.

Mr. W. Smith presented a petition from the Albion Insurance Company against the Globe Insurance Corporation bill.—Ordered to lie on the table till the second reading.

INDIA.

Mr. Paull said he held in his hand a document which he conceived to be of material importance, being an authentic copy of an overland dispatch from India, containing a copy of a treaty of peace concluded between Holkar and Sir George Barlow. It was his wish to know if it was the intention of ministers to make any communication to the House as to the situation of matters in that country. He said that at this moment there was no government in that country. Sir G. Barlow was not governor general, and there was no council. It was just in such a state as Ireland might be supposed to be if the French were to land, or if there was a rebellion in the country, while no Lord Lieutenant had been sent from this country.

The honourable gentleman was proceeding, when he was called to order by the Speaker, who asked if he had any motion to make?

Mr. Paull said he had to move that Major General Wm. St. Leger, late of the 27th dragoons, do attend the committee the next day, to give evidence in the Oude charge. He had only taken the opportunity of being on his feet to allude to the other subject, which he conceived to be so important.

The Speaker before putting the question begged leave to remind the honourable gentleman that it was contrary to the usage of that House to mix one subject with another.

Mr. Creevey said, all that he thought himself at liberty to answer to what had fallen from the honourable gentleman was, that government had that morning received a dispatch such as he had alluded to.

The question on Mr. Paull's motion was then agreed to.

Mr. Paull again repeated what he had said as to the state

of India, and intimated, that if ministers did not in the course of next week submit something on the subject to the consideration of the House, he should feel himself bound to do so, however inadequate he might be to the task.

Mr. Alexander brought up the report of the committee on the Newfoundland fishery, which was agreed to, and a bill ordered accordingly.

GLOBE INSURANCE CORPORATION BILL.

Sir Theophilus Metcalfe moved the second reading of this bill.

Lord Castlereagh wished to know from the noble lord opposite, if it was his intention to press the important public business for that night, after the discussion on the present bill, on which, he understood, counsel were in attendance.

Lord Henry Petty said, if the discussion on this bill should extend to great length, he did not suppose his right honourable friend (Mr. Windham) would be disposed to press the subject alluded to at an unseasonable hour.

The question being then put, that the bill be now read a second time,

Sir J. Anderson moved as an amendment, that the bill be read a second time this day three months, grounding his objection to the bill on the allegation that it was unnecessary, and would greatly injure other insurance offices, as going to extend a monopoly.

Mr. Alderman Combe thought the bill sufficiently warranted by the increase of property, since the only two chartered insurance companies were made corporate bodies, and by the propriety of creating a competition in the market.

Sir W. Curtis opposed the bill, on the grounds stated by Sir J. Anderson.

Lord Henry Petty said there was by no means any monopoly here granted, and whilst no injustice was done to any single individual, or to any other company, an advantageous bargain had been concluded for the public, by which the company impressed one million in the funds, and paid 100,000*l.* to government. This also assured the public of a known capital and known security.

Mr. Grenfel opposed the bill.

Mr. Perceval had no objection to the bill being read a second

second time, reserving to himself still to object to its principle.

Sir C. Price also opposed the bill, as depriving those insured with the company of the security they now had in the private fortunes of the individual partners.

Mr. Paull stated that, from the want of a competition of chartered companies, which were preferred abroad, upwards of 7,000,000*l.* yearly of East India insurance was done in foreign countries.

After a few words farther from Mr. Shaw Lefevre, Sir W. Young, and Mr. W. Smith, the House divided,

For the second reading - - 74
Against it - - - 20

Whilst strangers were excluded there was a second division upon the question that counsel be called in. This was lost by 62 to 39.

The bill was then read a second time, and ordered to be committed.

Mr Paull moved the production of a letter from the Persian secretary to the governor general, dated the 22d of June, 1802, directed to the nabob vizier.—Ordered.

The slave trade restriction bill was referred to a committee of the whole house in which the blanks were filled up. Fifty pounds was fixed as the amount of the penalty for every slave carried in any manner contrary to the act. A clause was added containing the duration of the act till two years after the expiration of the present session.

The House resumed, and the report was ordered to be received the next day.

TRAINING BILL.

The order for the farther consideration of the report of this bill being read, Mr. Windham moved that it should be recommitted, and upon the motion for the chairman to leave the chair,

Lord Castlereagh expressed a wish to know from the right honourable secretary, before the House entered into the discussion, whether the intention was, as rumour stated, that this bill should lie by a dead-letter, to be called into action when ministers thought fit—but not to be immediately carried into execution?

Mr. Windham said, that it was the first time he heard that any doubt existed of the purpose of ministers to carry the bill into execution as soon as it should pass into a law.

Colonel Bagwell rose for the purpose of opposing the bill. He was willing to do justice to the purity of the intentions of the right honourable gentleman; but he would contend, that he had been most unfortunate in the application of the means which the country had placed in his hands and those of his colleagues. Every measure he had proposed, so far from increasing our force, had an opposite tendency. One of the first of his measures was to get rid of an act which produced annually 18,000 men in the army; and for what?—for an experiment. The plan introduced appeared to him to be principally for the purpose of counteracting the excellent system laid down by the former government, and to manifest his adherence to opinions expressed, he would not say in a moment of factious, but certainly of pointed opposition. With respect to the constitutionality of the measure, he did not think that the ingenuity of the honourable proposer, great as it was known to be, would be able to establish that. But he would be glad to learn how the principles of the constitution could be said to be preserved, if so large a proportion of the population were to be subjected to the operation of the mutiny bill; to be marched from one end of the kingdom to the other, and subjected to all the privations, restrictions, and subordination, that men who had made a military life their choice, were generally liable to. The bill appeared to him to be one of the greatest infringements upon the liberties of Englishmen that had ever been attempted.

Sir J. M. Pulteney stated, that he had the greatest confidence in the superiority of a regular army, but it was impossible this country could be defended without having recourse to some other species of force. Our population was not so extensive, or our people so unemployed, as to allow us to raise a large army upon the spur of the occasion. Periods might arrive, when it would be necessary a very large proportion of the people should be ready trained and armed; at the beginning of a war, for instance, when the strength of the enemy's navy might be greater than it was in time of peace, and when the amount of our regular army might be less than it was in time of war. The French army, after the misfortune of General Mack, would never have reached Vienna, if there had been an armed population to obstruct their passage. It was asked, why have recourse to this measure of a

general training, when you have a volunteer force ready drilled to your hands? The volunteers, he would admit, were entitled to great praise. He admired their zeal, and in many instances he approved of their discipline; but he would no more trust to voluntary services for the defence of a nation, than he would to voluntary contributions for the support of its finances. He would not enter much into the bill; the execution of it might be attended with difficulties, but he was so attached to the principle, that he would give it a fair trial. There were, however, two or three points on which he wished to say a few words: and, first, as to the unconstitutionality of the measure. He could perceive nothing unconstitutional in that exercise of the prerogative vested in his Majesty, or in subjecting a part of the population to temporary inconveniences, to avoid greater calamities. The amount of the number of persons to be trained, was, he understood, to be 400,000 men; a force certainly equal to encounter any danger by which this kingdom would ever be menaced. It was in this way that the French armies were first formed, by incorporating the national guards with the regulars. There was another part of the bill which he also much approved; that which provided for the appointment of proper officers. It would destroy all the ends for which this force was to be called together, if it were to be left in a state of insubordination and confusion. As to the expence, considering the security which would be derived from the possession of such a force, he thought that a subject of very inferior regard. He could, indeed, have wished, that the men might be trained, as it took place in certain parts of the continent, free of expence; but as that was not possible, he thought the advantages more than counterbalanced the expenditure.

Mr. Spencer Stanhope said, that if the bill before the committee was meant to be acted upon, he would not hesitate to pronounce it one of the most obnoxious and oppressive measures that had ever received the sanction of that House. The plan was nothing less than to call out every fourth man in the kingdom capable of bearing arms. According to the old military lists, the persons of that description amounted to 840,000. This was three years ago. The militia service took off 40,000 of them. The volunteers took off about 240,000 more; so that they had to raise 200,000 men out of the residue, not amounting to more than

than 600,000. Where, he would ask, was the necessity for this most obnoxious measure? Were there not volunteers more than he meant to call out by this bill? The people of England would be led, but they would not be driven, and this was driving them with a vengeance. The expence was not the least of his objections to the bill. The shilling a day would, for the twenty-four days training, amount to 240,000*l*. Other expences also would be necessary; depots must be constructed, powder and shot purchased, arms provided, officers paid. The *etceteras*, he was convinced would amount to as much more. This measure professed only to apply to England. What was to be done for Scotland and Ireland? Was the former in such a state of security, that the right honourable secretary did not chuse to meddle with it, and was the latter in that state that he was afraid to meddle with it? He also objected to the bill, because the men who were to be called out under it were not to be under the command of the gentlemen of landed property, their neighbours, and the persons to whom they naturally looked up. As to the popularity of the measure, he could not suppose that a bill which gave government the power to draft and send men to all parts of the kingdom, could have much pretensions in that respect. Did the right honourable secretary expect that it would be easily carried into execution—that there would be no grumbling? The bill, from the perusal he had given it, appeared to him to contain every thing which the honourable gentleman condemned when he sat at a different side of the House from where he was now placed. It contained the reprobated principles of ballot, fine, and substitution. What would be the effect of that clause which went to excuse parishes from the operation of the bill; which turned out a certain number of volunteers; but to encourage such parishes to procure volunteers at any expence? The persons, too, who volunteered, would require excessive pay; seven and six-pence, or perhaps more, every day; and thus the honourable gentleman would sanction that principle which he has so often condemned. With respect to officers, he would defy any man, from reading the bill, to determine whether it was to be the serjeant or the constable. But, perhaps, it was meant to give the command to the serjeant, and to convert the latter into something like a provost-marshal. When this plan of starving out the volunteers had been carried into execution,

tion, what, he would ask, was to become of the volunteer officers? Were they to be put into the ranks? Was the captain of a volunteer corps to stand in the ranks between his own groom, perhaps, and his father's chimney-sweeper? The right honourable gentleman on former occasions had objected to the principle of fines, and yet he had not blushed to introduce them into the present bill. The parishes were to be subject to fines for not raising their quotas, and thus the bill would operate as a measure of finance, which was precisely the objection upon which the opposers of the general defence act most relied. If ministers wanted more force, they knew where to have it; it was by encouraging and cultivating the volunteer system, and not by the introduction of such an inefficient, oppressive and unconstitutional plan as that contained in the bill. For his own part his objection to it was so great, that he would not be sorry to see it treated as a bill was once in that House. When a person who then occupied a seat on the bench on which ministers usually sat—he was one of the lords of the admiralty, he believed—brought in a bill of a very unconstitutional nature, relating, as well as he recollected, to some extension of the impress service, Mr. Dunning, who was then a leading member on the opposite side of the House, made an observation to the following effect:—If the bill had been unsupported, he should have contented himself with moving, that it be simply rejected, but circumstanced as it was, he felt it his duty to move that it be thrown over the table.

Sir William Milner could not think the bill was likely to produce so much expence as had been stated. The volunteer system had cost a great deal of money; and in the town which he had the honour to represent, no less than 18,000*l.* had been subscribed for the volunteers. Although similar exertions had been made all over the country, yet the volunteers had fallen off very much in numbers. He had attended most of the reviews in the neighbourhood of London; and the London volunteers, in the last review before his Majesty, had entirely disgraced the appearance that was expected, as no more than twelve or fifteen hundred attended, instead of ten thousand who had attended on a former occasion. He did not conceive that the present bill would at all diminish the number of volunteers; if he did, the measure should not have his support.

Lord Castlereagh concurred with an hon. gentleman who

who had spoken early in the debate (Colonel Bagwell), in his surprise, that on that night, which was generally understood to be fixed for the final discussion of this bill, the right hon. gentleman who had brought it in (Mr. Windham), had not thought proper to explain more fully the nature of his plan. This was more particularly to be lamented, as this project was not only to be made the law of the land, but as it was immediately to be put into execution. When the right honourable gentleman first made his opening speech upon his intended military plans, early in the session, there was such a contrariety of opinion respecting his intentions, that it required all the abilities in criticism of the right honourable gentleman and his colleagues, to make it at all understood. As they had hitherto been able to explain it but very imperfectly, it was not too much to have expected on that night, that the right hon. secretary would have condescended to open his new plan fully and explicitly. Whatever might be his opinion of the bill itself, it was not his intention to oppose the Speaker's leaving the chair, in order that it might be taken into consideration. He felt extremely reluctant in appearing to give any opposition to measures which his Majesty's ministers declared to be, in their judgment, necessary for the security of the country. If he could at all separate the abstract principle of the bill from the consideration of the time in which it was brought forward, he did not see much to condemn in it. He had himself formerly given his support to a bill nearly similar to the present, which was brought forward by a right honourable friend of his (Mr. Yorke) but under circumstances very different from what now exist. He was however ready to allow, that there was one incidental advantage which might be expected to result from the present bill, and that was, that a considerable number of men would, by the operation of it, be kept in that situation, that the more regular part of our army could easily take advantage of in case of an invasion. He allowed that such a principle was good, if confined to certain limits, but for this object the plan of the right honourable secretary was too comprehensive. The number which was called for in the first instance, 200,000 men, was undoubtedly more than would be wanting to fill up the losses which might be expected in the regulars and the militia; and as the number was greater than was necessary, so the discipline which was to be given to those men, was much less

less than what would be necessary, in order to make them efficient. Twenty-four days were quite too little to give that degree of discipline which would be necessary, if there were any idea of employing them with the regular troops. He was convinced that a much smaller number than what was proposed by the right honourable secretary would, with a much greater degree of discipline, be rendered more efficient for the purpose of supporting the regular army in case of invasion. The discipline which was to be obtained in 24 days, was so imperfect, that many general officers would hesitate much to employ such men, and would rather go on with their regular battalions, however they might be reduced. If it were true that the exigencies of the country required a considerable addition to our force, he should prefer in many instances the levy-en-masse bill to that which was now proposed. The principle of that bill rested on the undoubted prerogative of the Crown, to call upon the services of all liege subjects in the case of invasion; and the only power that was added by that bill, was the power of organizing and training those men who were subjects to this exercise of prerogative; so that, in the case of invasion, the prerogative might be effectually exerted for the defence of the country. But when that bill was passed, the circumstances of the country were very different from what they are at present. At the beginning of the war, in the year 1803, when that bill was passed, the force of the country amounted to 157,000 men, whereas now its effective force, exclusive of volunteers and of artillery, amounts to 249,000. When it was therefore considered, that at the time the levy-en-masse act passed, there were few volunteers, and that at present, besides the considerable increase of our more regular military force, there is a very considerable number of volunteers who have arrived to a respectable state of discipline, the House might hesitate in adopting a system which was brought forward avowedly in opposition to the volunteer corps, which were at that time considered of so much importance, that the advantages of the training bill were to be given up, if such a number of volunteers could be procured as were now on foot well disciplined. At the time that the former bill was passed, two great measures were laid before the House, the army of reserve act, and the bill for calling out the supplementary militia; and yet, at that time, although the dangers of the country were much greater than they were at

present, when it was put to the deliberative judgment of the House, whether they would prefer a compulsory levy, similar to what was now proposed, or whether they would chuse the service of volunteers, the House almost unanimously concurred with those who were then his Majesty's ministers, that if a number of volunteers could be procured, equal to six times the number of the existing militia, the training bill should not be put into execution. Nothing then could be more clear, than that at a time of the greatest danger the volunteer system was decidedly preferred to the system of a general training, similar to that which was the object of the present bill. Not only was the volunteer system preferred, but there was a distinct assurance from his Majesty, through the secretaries of state, which was most distinctly understood by the different districts throughout the kingdom, that the training bill would not be carried into execution in any country or district, that produced a number of volunteers equal to the proportion laid down of six times the existing militia. As in the comparative statement our security appeared to be much greater now than when those assurances were originally given, it appeared to him that they were a bar in good faith to the present measure. Even if the policy were undoubted, he must make some observations as to the necessity of the measure at the present time. He considered the present mode as less efficient than that which had formerly been proposed by his right honourable friend. If an additional force were wanted, it appeared to him much better that they should be trained according to the provisions of the levy-en-masse act, than according to the system which was to be introduced by the present bill. Those who were to have been trained by the former act were still to be liable to the exercise of the prerogative, and, in case of invasion, that prerogative would attach to them; whereas, by the present system, the men who had been trained for a year would be disbanded at the end of the year, and could not be called upon to repel an invasion. There was another advantage in the former bill: the men were not only to be trained, but officered, whereas in the present bill, there appeared no provision or regulation for officering them. The training under the former bill was not to be limited to a certain number of days, but to continue until the persons could obtain a proper certificate of being fit to serve. The great objection, however, which occurred

curred to him, was, what this new-raised force were to be? If they were to be an officered corps, then where were the officers to be found? It would be absurd to suppose that country gentlemen would be forward to embark in that situation, and he feared that it might be necessary to ballot for the officers as well as for the men. It was impossible that any gentleman could voluntarily chuse the employment of officering for twenty-four days a number of men collected in this manner; and as soon as these men had completed their year, another set of men would present themselves equally ignorant of the first rudiments of military discipline. This plan, instead of bringing forward a number of men for the defence of the country, did, in fact, (after a little trifling drilling) discharge them from the exercise of the royal prerogative, and in that respect, was much less efficient than the measure of his right honourable friend. If the enemy were to come before they were trained, it appeared as if there was nothing to oppose to them. The measure which was proposed appeared to him not only objectionable in a military point of view, but still more in a financial view. He conceived, that a more efficient military force could be procured for less money. When the former bill required, that those who were subject to the royal prerogative should be previously organized and trained, it by no means intended that this training should be attended with great expence to the country. It was an object which concerned the safety of those who were liable to be called out, as much as it did the security of the public; for it was evident, that men who should be utterly ignorant of military affairs, when they were called out for service, would be exposed to much more danger than if they had been previously organized and drilled. It certainly was intended, that those men who had no other support but their labour, might claim a shilling a day, when the day of exercise should fall on a day of labour; but it was never intended to give regular pay to men who were called on to learn that which would be necessary for themselves to have learned, previous to the time that they might be liable to be called upon by the royal prerogative. The expences of the present measure would be very serious; and he could venture to assert that, for less money, a hundred or a hundred and fifty thousand men could be kept up, equal in discipline to what the militia are in time of peace, and which

would be applicable to the defence of the country, in case of invasion. If the enemy were really to land in the country, he apprehended more of confusion than strength from the assistance of such a body of men; and he was really afraid, that the country would be completely disgusted by such a system. It appeared to him, that nothing could be worse policy, than to bring a plan forward which would completely disgust the country. It had been said by some, that we should be prepared for a long and arduous contest. He could not say whether this was the present opinion of his Majesty's ministers, but he, for his part, considered it a sound doctrine. If this were the fact, nothing could be worse, than to disgust the nation generally with the war, and incline the minds of every one to prefer almost any sort of a peace to the continuance of a war, in which the honour and lasting interests of the country were concerned. On the ground of general policy, it appeared to him most extraordinary, that this nation should be advised to adopt such a loose description of force, precisely at the time when all the other nations were giving it up. Whatever might be said of the peasants of the Tyrol and Suabia, he was informed, that they had never been efficient, except against an army which had been routed. He had never heard of an armed peasantry being very effectual against a regular army in full force: However that might be, Austria now appeared to place no dependance on such a description of force, and chose to organize a force resembling as nearly as possible our volunteer corps. The opinion of the French government was also pronounced on the comparative merits of the two systems; for, when Bonaparte was obliged to carry all the regular army of France into Germany, it was not on the peasantry, but it was upon corps similar to the volunteers that he called, and to whom he trusted the defence of the country. The system, however, which was now brought forward, was neither that of an armed peasantry, (for it appeared that the gentlemen on whom this bill was to operate were not to be trusted with the possession of arms), nor was it at all like a volunteer system. This system was not to be acted on without a breach of faith to those counties and districts to whom the royal assurance was given, that if they furnished their quota of volunteers, the training act should not be enforced. He could not perceive any necessity for this breach of faith, as the country was infinitely stronger, and its danger from the enemy less,

less, than at the time when the levy-en-masse act was passed. If there really existed any immediate danger, the country would submit to any plan that they could understand for repelling it; but he was really afraid the present plan originated rather from the desire of satisfying the military opinions of the right honourable secretary (Mr. Windham), and for the sake of redeeming that pledge, which he had somewhat indiscreetly given to the House. It did not appear to him, that the measure was at all called for from the relative situation of this country and the enemy.

Mr. Martin could not conceive how it could with justice be called a wild theory, to discipline for twenty-eight days in the year, those persons who might be called upon to assist the regular army in the event of an invasion. It was too much to call every variation from the established rules, a mere experiment. Every amendment of old acts of Parliament, every new act of Parliament, might with equal justice be called an experiment. One honourable gentleman (Mr. Spencer Stanhope) seemed to consider that it was a great breach of faith, that those who had subscribed for volunteers should be liable to serve themselves. The present bill, however, would not go farther than the old militia laws, or oblige any one to serve that was past the age of forty-five years. The fines upon the parishes were by no means as severe as under the militia laws, and would only operate, when there was any contumacy in the parish refusing to proceed to the ballot. He was convinced the bill would not at all diminish the number of volunteers; but that, on the contrary, a great number of persons would be enrolled in those corps, in order to exempt them from this service. As to the insufficiency of twenty-eight days discipline, he begged leave to state, that the national guards of France, that reinforced their armies in the first year of the revolution, had not more military experience; and, he believed, that at the celebrated battle of Jemappe, there were many who had not been trained for more than 28 days.

Mr. Mathews commented on the language uniformly used by the right honourable author of this bill against the volunteers. That language, while the right honourable gentleman was in opposition, might be overlooked, as the sentiments of an individual. But now that he might be conceived to speak with the voice of government, his language must, and had created alarm and discontent among that gallant body. In any services which the volunteers might

might render to the right honourable gentleman and his colleagues after such language, well might they exclaim in the terms of the insulted Jew, in the Merchant of Venice, "You spit on me," &c. The plan of the right honourable gentleman towards the volunteers must, in his judgment, tend ultimately to disband the volunteer corps. For such as were of the higher orders he would disgust by depriving them of their rank, such as were proud he would offend by talking lightly of their services and efficiency, and such as were of force he would disable from serving by depriving them of their pay.

Sir William Young contended that the measure was perfectly constitutional, as every one must be convinced, who had read the history of the country. He looked on this as a permanent measure, and in that view he thought that the soldiers who would be discharged under a former bill, would be exceedingly useful in being officers for this force. This nation ought not to trust for its defence merely to the opinions and inclinations of individuals, as it must in a great measure do, if the volunteer system alone was depended on for that purpose. Whoever sat on the throne of France after Bonaparte, though a Bourbon, must act and conduct himself as the head of a great military people, and there was no way of meeting this danger from our enemies, but by rendering this nation in some degree military, through the great mass of its population. He did not disapprove of drilling on Sundays, as he thought patriotism a religious duty. It was to the great attention paid to the training of the population, even from the earliest youth of the people, that the recovery of Jersey was owing, after the enemy had entered St. Helier's. The volunteer system would afford the gentleman an opportunity of avoiding being placed between his own groom and his father's chimney-sweeper, a circumstance so much dreaded by an honourable gentleman over the way.

Mr. William Smith was of opinion that the volunteers saved the country, but that the system with respect to them was neither permanent nor intended to be so, and he saw no reason why persons in that situation should be offended, because their assistance was not sought in a way not suited to the nature of a temporary institution. A most singular objection had been made to this new project, because it had not this defect, and was permanent in its application: to him this was not an objection, but a motive for the adoption

adoption of it; and the bill enabled his Majesty to draw from the robust part of the population, two or three hundred thousand men armed for the national defence. The plan of the military service which was concurrent with this measure, by throwing annually five or ten thousand disciplined men into the general mass of the inhabitants subject to this service, would provide the peasantry with instructors, who equally with their knowledge and their example, would contribute to give spirit and method to those levies. By the military education this bill was calculated to give to all orders of the community, in succession, these islands would not only be rendered impregnable, but the measure would preclude every attempt on our shores, by convincing the enemy, that against an armed nation all his efforts must be ineffectual. We should then hear no more of flotillas, no more of invasions; the enemy would say, Whatever success we may have in attacking our colonial possessions, Britain is herself invulnerable. What pretence could the noble lord (Castlereagh) have to say that this bill would be afflicting to this country? Could it be afflicting for men in habits of corporeal exertion daily, to be collected twenty-eight days in the year, for the purpose of training them to military duty? Parliament designed to give no cause of disgust to the volunteers: it only wished to avoid an expence inconsistent with the welfare of the country, and to provide other means not destructive of, but auxiliary to, the system under which arms were put into their hands.

Mr. Perceval had waited for a long time to see whether the right honourable gentleman (Mr. Windham) would have given any explanation of his bill, that we might know whether it was intended to operate the destruction of the volunteers, or to form a subsidiary to them—for both objects had been ascribed to it. He considered the measure as unconstitutional and dangerous to our liberties, as a breach of faith on the part of Parliament, and a breach of common sense. He ridiculed the idea of neglecting the interest of the present moment, and looking to a period of seven or fourteen years hence, when this force might be officered by discharged soldiers. The object of the measure was to substitute a compulsory system instead of that of the volunteers, which latter was preferable in every point of view, and he thought that the good sense of the volunteers, though he had great confidence in it, would

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be put to a severe trial. He read a part of the act which, in his opinion, proved that this was a breach of faith. This was a point on which explanation was necessary. But it was said that these men would not be compelled, if they would come out voluntarily. This was like an observation made, he believed, by Swift, who said, that if a woman lay perfectly quiet and passive, it would be impossible for the strongest man in Ireland to ravish her. Then it allowed of substitutes; for a rich man could escape for a fine of 10*l.* and a poor man for one of 5*l.* He had, on a former occasion, called the volunteers a stigmatised asylum. He endeavoured to justify this expression, referring to the debates some time ago, wherein they had been called by the right honourable secretary, a depository of panic and a refuge from compulsion. He would read the words of the right honourable gentleman, from a history of the debates, published by one who the right honourable secretary himself had said deserved a golden statue, and who therefore was not likely to give an unfavourable report of his words.

Mr. Paull spoke to order, and said it was irregular to quote from a former debate.

Mr. Speaker said, he had always understood that the strict rule of the House was, not to admit such citation of words used in a former debate; but at the same time, this rigid adherence was sometimes not required.

Mr. Paull—I say, the honourable and learned gentleman is manifestly disorderly.

Mr. Speaker—When the Speaker delivers an opinion, in which the House acquiesces, there is an end of the question.

Mr. Bragge Bathurst—I must call the attention of the House to the respect due to the chair. This gentleman is young, and he may not be aware that there is no fresh appeal after the Speaker has laid down the rule, and the House has acquiesced in it.

Mr. Perceval said his object was merely to justify the epithet he had applied, and he thought the interference of the honourable gentleman wholly unnecessary. It would however be recollected, that the volunteers had been denominated a depository of panic, of which an experienced officer would be glad to be disencumbered, as a prudent wrestler would of the unnecessary raiment by which his muscular action was impeded. He had intimated that no sufficient elucidation had been afforded. Was this complaint well founded? There were 300,000 volunteers, and 200,000

200,000 men were to be raised under this act. Yet if the former were to be disbanded, only 200,000 would remain. Was this the intention? What were the expences attending this scheme? What method was to be adopted with regard to the officers over this armed peasantry? To what extent, and in what manner, was this to operate on the population? Nothing of this sort had been explained, and yet the House was called upon to sanction such a project. To the particular clauses of the bill he should have another opportunity to advert; thus much had occurred to him with respect to the general principle, to which he must object, from every notion he could entertain of sound discretion.

Mr. Secretary Windham and Mr. Bragge Bathurst rising at the same instant, the former gave precedence to the latter.

Mr. B. Bathurst apologized for persevering; but he feared, if the right honourable gentlemen had preceded him, he should not have gained the attention of the House. He was surprised at his honourable and learned friend, when he talked of this bill as being opposed to our free constitution, and liberty and justice, and so forth; and not less at the opposition given to this bill by those who supported a former one of the same tendency. If this bill were an infringement on the rights of the people, that was so also; if this were a refuge for the volunteers, that likewise possessed the same character. It was no disparagement to so numerous a body as the volunteers, to suppose that they were not all animated by the ardour of patriotism; every man who had at all attended to the philosophy of the human mind, must be convinced of the variety of feelings by which it was actuated; and to provide against any defection in this useful institution, the new project now recommended was designed. It had been intimated, that there was no necessity for the bill, because the immediate danger was over. Who could look to the posture of Europe at this day, and say the times were not perilous? Was the calamity of the hour only to be regarded, and were we not to look to future exigencies? He admitted that the volunteers had been the salvation of the country, but was no diversion of the accumulated power of France against these islands now to be apprehended? Were we wholly insensible to the vast augmentation of the power of the enemy? Was Bonaparte so diligently employed in

making Kings, that he never turned his thoughts to unmaking Kings? We used to think the wooden walls of old England were sufficient for her defence; wisdom had exploded this prejudice, and we were now to resort to additional means of protection. With this view the object of the bill was not to reduce the volunteers, but to do what was subsidiary to that resource. It was the grossest misconstruction both of the intentions of the right honourable gentleman and of Parliament, to conclude that the volunteer system was to be abolished. The act to which he had alluded of 1800, said, that if persons would volunteer, the statute should not take effect in the district where the people so far accommodated themselves to the designs of government: they came forward under their own officers, and they were accepted by the Crown. Was it to be then said, that because the King had acceded to such proposals, ministers were pledged not to adopt the present measure on the broad ground of political necessity. As to the volunteer bill, this is its auxiliary; so also it is to the regulations for limited service, as had been well explained by an honourable gentleman (Mr. W. Smith). If the volunteers were better disciplined than the corps under this bill, the terms under which these were engaged were more convenient to the public service; but the great recommendation of the plan was, that it would immediately train a large body of men, and by the succession contrived it would in time instruct in the use of arms the whole population of the empire. It had been said, that danger was to be apprehended from calling out the population of the refuse of the capital. If any such danger really existed, it was easy to avoid it, by not requiring the services of those who were unfit to be entrusted with arms in their hands. All the arguments that were resorted to with reference to the peasantry of the Tyrol, as far as they went, were clearly in favour of the present bill: but a fair comparison, in such a case, could not easily be drawn between the subjects of an arbitrary government and those of a free monarchy. It was said, that to draft the men raised under this bill into the regiments, was obnoxious. In case of invasion the King could order any man to take the field; was it then to be said, that it was improper, under such a contingency, that those levies should be employed where they could be most useful? and was it to be supposed, that on such an occasion the people

people of this country of right and liberty, would not be anxious to stand forward in the defence of all that was valuable to themselves and their posterity? This bill has been erroneously represented as not recognizing the volunteers, like the former: it said, in the most distinct manner, that if a man be a volunteer, or shall become one, he shall not serve under it: it not only recognized the volunteers, but indicated the wish of the legislature, that their number should be augmented. Some allusion to words used by the right honourable gentleman (Mr. Windham), had been irregularly adverted to; but, whatever were the terms employed, looking to the measures of ministers, it was clearly their intention to favour the volunteer system; and with this view, if any were not pleased with the society they met with under the present measure, they might select their own corps of volunteers, and remove the objection. If the volunteers, in the event of invasion, were to be put on garrison duty, how were the ranks to be filled up in the army, after a destructive engagement, more advantageously than by such a resource as was provided by this bill? He would defy any man to discover an expedient that could more effectually answer this end. The island had alone been preserved by the successive measures adopted; this was one of the most valuable, and the enemy would abandon all future hope of subduing our territory, when they saw an armed and disciplined nation ready to present their bodies as a rampart for its defence. It was upon these grounds that he approved of this bill, whether he looked at the immediate or the remote effect, and he was sensible that the labourer or the artisan would not in such a pursuit regard the shillings and sixpences he should lose in subtracting a few days from his ordinary occupations. He was not at all apprehensive of any jealousies between the volunteers and these new levies; they were admirably adapted to harmonize with, and assist each other; and with a proper attention to call forth the strength and spirit of the country, he trusted that, under Providence, no human power could endanger our security and independence.

Mr. Windham, at so very late an hour, rose, he said, with reluctance to trespass upon the attention of the House: but after the many speeches they had heard from both sides, both now and heretofore, it would be unnecessary for him to dwell for any considerable time upon the subject. One

of the principal imputations of blame to him urged by the opposers of this measure was, that he had not introduced it to the House or commenced the debate with a speech explanatory of his own views of it at large; but to do this, he must have repeated every speech he had made upon this topic in the course of the last three years. Another objection urged against him was, that he had on various occasions undervalued, and treated with contempt, the volunteers, and that this bill was calculated to supersede them altogether. The first part of the charge he utterly denied, and declared it was his wish, often repeated, that the volunteers should continue: and this bill, so far from being calculated, or intended to supersede the volunteer system, had for its object merely to render the volunteers that which they were originally intended to be, according to the principle avowed by those who first proposed their establishment, namely, a body of men serving their country at their own expence. Another objection to this bill was, that its principle was compulsory, and therefore repugnant to the feelings of Englishmen. But gentlemen who used this argument, seemed to forget that there was such a thing existing in this country as a militia force, entirely mustered and recruited upon the same principle, namely, by ballot, which he always understood to be a compulsory principle; and that the army of reserve, and the former training bill, for which those very gentlemen had voted, and who were now so much shocked at the idea of compulsion, were carried on upon the very same compulsory principle of ballot; and without compulsion, and expence, which was another objection to the bill, he should be glad to know how it was possible to have any public force in the country? Another objection to the bill was, that its principle was unjust, oppressive, and a violation of a positive contract entered into by Parliament and the country; namely, that if they raised, in the several districts, a certain number of men, that they should be exempt from the operation of a somewhat similar principle under a former bill: but he begged to know how such a contract, entered into under circumstances existing at that moment, was for ever after to tie up the hands of Parliament, and prevent them, under any change of circumstances, from adopting measures absolutely necessary to save the country from destruction? But would gentlemen who used this argument condescend to reflect (although the numbers of our army had greatly

increased since that period), whether no alteration had taken place in the armies of the enemy, who then threatened our shores with invasion? Was there nothing in the circumstance of that enemy having since victoriously marched to Vienna, and humbled the greater part of the European continent to his controul? Was it because the armies which at that time threatened us from Boulogne, had marched from that coast, that they might not again return and renew the danger? And was there nothing in the consideration, that they left nothing behind them, in the means of Austria, or any other power on the continent, to alarm their apprehensions, menace their security, or divert their attention from any design they might contemplate against this country? Did those gentlemen recollect that this formidable enemy had reduced the continent to a peace of subjugation; and, knowing his designs against this country, did they think there was any danger of being too well guarded against them? When gentlemen talked of the expence of this measure, would they consider the enormous expence of near six millions which the volunteer system had cost the country, estimated from their establishment in 1802, up to the end of the present year, and which the present bill was calculated to do almost entirely away for the future. Upon the whole, the right honourable secretary contended, that the present bill, so far from going to abolish the volunteer system, went hand in hand with it, and was immediately calculated to keep it from going to pieces: and, in answer to the arguments of gentlemen deduced from his speeches uttered three years ago, he asserted that the phrases attributed to him, as in ridicule or contempt to the volunteers, were unfounded or misrepresented. He never had said that the volunteer system, as such, was a depositary of panic; but he had said, that in times of danger, an irregular force in any country would be likely to become such, which no military man could deny. Neither could any military man deny, that the bravest armies had been at times seized with panic; and to say that a volunteer army might be liable, in some degree, to the same influence, was not speaking in any particular disparagement of that force. He had also said, that which the experience of every military man must evince, that there were distinctions in the dress of the military, which were the life and soul of an army, and which no other body of men ought to possess; and these, however trifling in themselves, whether ribbands, or feathers, or

tassels,

tassels, ought to belong to the army solely, as marks of that distinction of which they were extremely jealous: but even if the expression imputed to him had been uttered at any time, even by a minister, was any such apprehension therefore founded, as that the volunteer force of this country would, on that account, in a pet, or a huff, like sulky children, throw down their arms, disband themselves, and refuse to defend their country? Those who made such insinuations, could not, he was convinced, be friends of the volunteers. Upon the whole, satisfied the bill, instead of going against the volunteer system, was calculated more effectually to keep it up, and that it was a measure the best adapted for rendering the whole population of the country subservient and effectual for its defence and security, he must vote for the bill.

Mr. Canning, at so late an hour, did not mean to go at length into an examination of the bill, but reserved to himself the privilege of delivering his sentiments upon its principle, upon the report of the committee; for, in his view, it was so totally objectionable, that he did not conceive any alterations it was likely to receive in the committee, could reconcile it to his mind. His leading objections to the bill at present were, first, that it was a breach of a solemn compact made by Parliament with the people of the country, that if they complied with certain conditions in raising a certain proportion of volunteers in each district, they should be exempt from the compulsory operation of any such bill as the present. But now, after having fulfilled their compact, and paid the price demanded for their exemption, this bill was brought forward, nevertheless, to impose upon them the penalty. His next objection was, that this bill went to establish the compulsory instead of the volunteer system of service.

The question being now loudly pressed from all parts of the House, was put, and carried for the committal of the bill, without a division. The House accordingly went into a committee, and the chairman reported progress, and obtained leave to sit again on Thursday.

Lord Henry Petty moved that the House should the next day resolve into a committee, to take into consideration the salaries to be paid to persons to be appointed under the bill, now pending, for the better auditing the public accounts. Ordered.

Mr. Hobhouse brought up the report of the committee appointed

appointed on Friday last, to prepare questions to be put to General Sir James Craig, respecting the charge against Marquis Wellesley, and upon the question being put, that this report be now taken into consideration,

Lord Ossulston objected, on account of the lateness of the hour, and the thinness of the House, to take the question into consideration until the next day. In this idea he was supported by Mr. Paull, and opposed by Sir Arthur Wellesley and Mr. Wellesley Pole. A conversation of some length ensued between those members Mr. Hobhouse, Mr. Wallace, Mr. Alexander, and Mr. Speaker, the result of which was that the report was ordered to be taken into consideration the next day.

At two o'clock in the morning the House adjourned.

HOUSE OF LORDS.

WEDNESDAY, JUNE 25.

In the appeal, Martin v. Macnabb, Mr. Adam was heard for the appellant, and the attorney general for the respondent. Further hearing the next day.

The Earl of Rosslyn moved, that a message should be sent to the House of Commons, to request a present conference in the Painted Chamber, on the subject matter (the slave trade) of the last conference.—Ordered.

Managers of the conference were appointed, and the messengers sent to the House of Commons having returned with an answer that the Commons were waiting the conference, the managers, consisting of the Earl of Dartmouth, Earl Stanhope, the Earl of Hardwicke, Earl Spencer, the Bishops of St. Asaph and Ossory; Lords Grenville, Arden and Lauderdale, went forth to the Painted Chamber. On their return the Earl of Dartmouth stated, that they had communicated the resolution of that House to the Commons.

The Temple Bar and Snow-hill lottery bill, was ordered to be read time the next day, and the lords to be summoned

The Duke of Grafton's agreement bill, the Irish mine bill, the Gibraltar and Malta postage bill, the Prussian yarn bill, and the additional assessed taxes bill, were read a third time and passed.

The committee of privileges on the Zouch peerage, was ordered to sit the next day.

INSOLVENT

INSOLVENT DEBTORS.

Lord Holland moved the order of the day for receiving the report of the insolvent debtors bill. His lordship stated, that upon consideration he had thought it advisable to abandon two clauses which he had proposed in the committee, and which had been added to the bill. The object of these was to grant relief in certain cases, to uncertificated bankrupts, by empowering the Chancellor to grant relief, notwithstanding the refusal of a sufficient number of the creditors of a bankrupt to sign his certificate. Understanding, however, that a measure was about to be brought before Parliament, for the purpose of amending the bankrupt laws, which might probably include this object, and wishing, at this advanced period of the session, to avoid introducing any novelty into a bill of this nature, which might create difficulty and delay in its progress, he should, therefore, move to leave out these clauses. If, however, the measure to which he had alluded did not contain the object sought to be attained by these clauses, it was his intention, if not this session, the next, to bring forward a separate bill upon the subject. He also took this opportunity of giving notice, that it was his intention to bring in a bill to revive an act which expired two or three years ago, the object of which was to enable a creditor who had taken his debtor in execution, to release such debtor out of prison, and still have the same hold upon his property.

Lord Walsingham reported the bill, and the two clauses alluded to by Lord Holland, on the question being put to agree with the committee, were negatived.

The bill was ordered to be read a third time on Monday.

IRISH ROADS.

Some conversation took place on the Irish post roads bill. Earl Spencer moved its second reading, and stated that he did not see any reason for including in the bill a provision for making a new road from Limerick to Galway.

The Earl of Hardwicke approved of the bill, inasmuch as it went to do away the provisions of a most obnoxious act upon this subject passed last session but suggested several amendments, which he intended to propose in the committee, with the view that all parties who might be affected by the operation of the bill might previously have due notice.

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The Earl of Limerick contended, that a new road from Limeric to Galway would be of essential benefit to that part of the country.

Earl Spencer only wished for information upon the subject, and reserved any further observations for the committee.

The bill was read a second time and committed for the next day.

Strangers were excluded for some time whilst the House discussed some matter of privilege.

No public business was done afterwards, and the House adjourned.

HOUSE OF COMMONS.

WEDNESDAY, JUNE 25.

Mr. Vansittart moved for leave to bring in a bill for the amendment of the post-office acts, for the purpose of preventing their evasion by the conveyance of letters in brown paper covers, by stage coaches. Leave granted.

Mr. Calcraft moved for leave to bring in a bill, for granting compensation to the proprietors of land at Chatham and other places, occupied for the purposes of his Majesty's ordnance.

On the motion of Sir John Newport, the Irish school bill was read a third time, and passed: also the Irish distillery bill was read a second time, and ordered to be committed the next day; and the House went into a committee on the Irish customs regulation bill.—Report to be received the next day.

The stamp-office regulation bill, and the Irish spirit licence bill, were both read a third time and passed.

On the motion of Mr. Vansittart, the House went into a committee on the post-office regulation bill. Report to be received the next day.

Mr. Haworth, from the exchequer, presented an account of the net produce of all the permanent and war taxes, for two years, ending the 5th of April last, specifying the produce of each quarter.

Sir J. Anderson presented petitions from the Royal Exchange insurance company, and from the London asurance company, against the Globe incorporation bill, praying to be heard by counsel against the said bill.

Mr. Hobhouse brought up the report of the committee on the Scotch distillery acts; and it was ordered, that the resolution form a part of the new bill to be brought in.

Mr. Hobhouse brought up the report on the slave trade bill, which was ordered to be taken into farther consideration on Friday.

Sir John Newport moved for leave to bring in a bill, for more effectually regulating and providing for the relief of the poor, and for the better management of hospitals and infirmaries in Ireland. His object was to enable the grand juries to raise a further sum than what they were empowered to do under the acts 11 and 20 Geo. III. for making provision for the poor, and assisting houses of industry. He proposed, that the poorer classes of housekeepers should be exempt from the rate, and that means should be taken for procuring regular returns of the revenue and expenditure of hospitals, and for the better auditing of their accounts.

Mr. Foster objected to bringing forward a bill of this nature at so late a period of the session and when so many Irish members were absent. This he called a new mode of legislation, which had been lately adopted by the right honourable baronet.

Sir J. Newport replied, that there was as great a proportion of Irish members in the house the preceding day as was usually to be found during the session. The honourable member's objection therefore was of no force.

Mr. Wellesley Pole wished, that time should be given for Irish members to consult their constituents on the subject.

Colonel Bagwell represented the situation of the poor in Ireland as requiring immediate attention, and calling for the interference of the legislature. Leave was then granted.

A message from the lords then desired a present conference with the commons, in the painted chamber, on the subject of the resolution respecting the slave trade.

On the motion of Lord Howick the House agreed to an immediate conference; and the messenger being called in, was informed by the Speaker, that the House had agreed to the same; and the managers of the late conference, with several other members, were appointed to conduct the present. The managers having returned in a short time, Lord

Henry Petty informed the House of the result of the conference, namely, that the Lords had taken into consideration their resolution of the 15th of June, and concurred with the Commons in the said resolution.

Mr. Bastard moved for an immediate return to an order of the House of the 18th instant, so far as related to certain orders of the secretary of state for the home department respecting volunteer clothing.

Mr. Windham observed, that clothing had been issued to those volunteers only, to whom it was due, in April last, and that no inference was to be drawn from this, with regard to the future intentions of government on the subject. A return was then ordered to be made forthwith.

Sir W. Young gave notice, that unless an honourable gentleman brought forward a motion for deciding on the Oude charge before Wednesday next, he was authorised to say, that his noble friend (Lord Temple) would propose a motion to that purpose on that day.

Mr. Paull replied, that he had not the most distant idea of doing so then; and he thought it impossible that the House could be prepared for coming to a decision so soon.

On the motion of the Lord Advocate of Scotland, there was ordered to be laid before the House, an account of all vessels, with their tonnage, entering inwards and clearing outwards from the north and east coasts of Scotland, and from the town of Berwick, for the three last years.

Mr. Alexander brought up the report of the committee of the whole House respecting Greenwich hospital, and the naval chest, and bills were ordered to be brought in pursuant to the two resolutions.

On the motion of Lord Howick, the House then resolved itself into a committee, when his lordship proposed that the sum of 1*l.* 13*s.* 4*d.* per cent. be granted out of the proceeds of all prizes taken from the enemy, or destroyed, for the benefit of Greenwich hospital; and 2dly, that the sum of 3*l.* 6*s.* 8*d.* per cent. be granted out of the proceeds of the said prizes, for the benefit of the chest. Report to be received the next day.

PRINTING OF THE FIRST OUDE CHARGE.

Mr. Paull then moved, that the first Oude charge be printed. He conceived that no objection would be made to

the motion, as the evidence on which the charge was founded was now before the House.

Sir A. Wellesley opposed the motion, and stated what the House had already done on the subject. The first resolution of the House for printing it had been rescinded next day. The reasons were, that no evidence was then before the House, and also that a charge of such a nature should not be eventually circulated through the country, before the House could take it into consideration. It did not appear that the House would be able to enter into this charge respecting money transactions in Oude during the present session, but would be obliged to confine itself to that respecting the affair of Oude. He could not, therefore, see any benefit that would arise from printing it, while the character of his noble relative might, in the mean time, receive essential injury; and he therefore trusted that the House would adhere to its former determination.

Lord A. Hamilton supported the motion, and contended that the House was now in a different situation from what it had been formerly in, when it resolved that the charge should not be printed. It seemed then to be agreed, that the proper time for printing it would be when the evidence was before the House; and now that the principal papers were before them, it was proper that they should be fully enabled to compare the evidence with the charge.

Mr. Rose was of opinion, that the House would derive no advantage from printing the charge at present, while the character of the noble lord might receive no trifling injury from its circulation during the recess of Parliament.

Lord Douglas supported the motion, and took that opportunity of declaring that he saw nothing in the charge but what was supported by the papers before the House.

Mr. Windham asked what was the reason for printing papers at all? Was it not for the use of the members? And the more numerous and complicated these papers were, it became the more important that the charge which they were produced to support, should also be printed, that the House might be fully able to compare the one with the other. It had been said, that false impressions would be produced; but he did not see much danger of that. A great deal of evidence had already been produced in defence of the noble lord, and more was on the point of being so; the danger of *exparte* representation would therefore be much diminished. The sooner the House had the charge

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in their hands, and the longer it was in their possession, the better able would they be to come to a proper decision upon it. He did not like the principle of deferring the printing of the charge till all the evidence in defence was before the House. That evidence might be staved off till the day of trial, and thus prevent the charge itself from being fully weighed.

Lord Castlereagh thought that no practical benefit could arise from printing the charge, till they were in possession of the evidence on the part of the defence, as well as of that on the side of the prosecution. He should therefore appeal to the candour of the House, whether, in justice to the noble lord, it could be done during the present session. He had no hesitation in saying, from what he had seen of the evidence, that the charge itself would not fall heavily on the noble marquis. He thought the honourable gentleman premature in his motion, and that the first moment when the charge should be printed, was when the evidence on both sides was before the House.

Lord H. Petty conceived, that the proper time for printing the charge was, when the evidence brought to support it was before the House, and when a fair comparison of the two could be made. With regard to its affecting the character of the noble lord, he would ask, why was the evidence in support of the charge ordered to be printed; since it also might produce a partial opinion in the minds of those who perused it?

Sir A. Wellesley explained, and stated, that not a single paper of defence had yet been produced.

Mr. Bankes observed, that charges of such a nature could not be confined to the House, but would be circulated all over the country. Was it decent that this should take place long before the House had it in their power to come to a decision? No possible advantage could result from printing the charge, while great prejudice might be done to the noble lord; every principle of justice, therefore, must compel the House to withhold its assent to the motion. The evidence was printed from the very necessity of the case, but no such necessity required that the charge should be printed.

Mr. Grant observed, that the eyes of India, and of the empire in general, were fixed upon the conduct of the House in this business. With regard to the objections urged against the publication of *ex parte* statements, he was surprised

surprised at the quarter from whence they proceeded. For he would ask, whether various papers and *ex parte* statements were not circulated by the friends of the noble marquis, though not among the public, yet among those who were to decide upon the great question to which the motion before the House referred?

Mr. Martin did not conceive that there could be any serious objections to the printing. For his part, if any gentleman should propose that copies of it, written in a fine text hand, should be made exclusively for the members, he had no objection; but while it was allowed that every member had a right to take a copy of the charge, he saw no means of keeping it altogether from the public, or preventing them from forming some opinion upon it. The final judgment upon the charge would be with that House, and he did not perceive that it could be of any consequence what opinion was hastily adopted elsewhere upon the subject.

Mr. Alexander thought it would be unfair that the charge should be printed before the evidence was also printed on which it was founded. It was not only in this country that it might be injurious to the character of the noble marquis, but the printed charge would also find its way to India, and might there produce an unfavourable impression.

Dr. Laurence considered the grounds of opposition to this motion as of a most extraordinary nature. The charges against Warren Hastings had, it was well known, remained on the table and were printed above eighteen months before they were taken into consideration; and yet it was now argued that the charge before the House should not be printed until the shortest possible time before the House should be called on to decide upon it. But no one attempted to argue in this way excepting those who, he had no hesitation in saying, were the avowed friends, supporters, and advocates of the noble marquis: and would the House allow itself to be dictated to by them? If so, there must, of course, be an end to all hopes of justice in the case. He recollected the story of Sir John Hensey, who was found guilty of high treason; but there was a polite attorney general in that time, who declined to bring him to judgment until the traitor should himself think proper; and that time never coming, the traitor of course was never brought to judgment. Now, in this case he apprehended that if the

the advice of the noble marquis's connections were attended to, the day of judgment would never come, although, strange to tell, those connections were sometimes heard calling out for a speedy trial. To-night, however, their language was, that it would be absurd to think of going into any of the charges until the next session. The learned gentleman concluded with observing, that no answer was given to the question of the honourable director (Mr. Grant), relative to the *ex parte* publications from the friends of the noble Marquis.

Mr. W. Pole declared, and pledged himself to the fact that his noble relative had never written or published, or authorised to be published, a single line in answer to the charge to which the motion before the House referred, nor had any of the noble lord's friends either, to his (Mr. Pole's) knowledge.

Mr. Sheridan thought the understanding was, at the time he had the honour to make a motion upon this subject, that the charge alluded to should not be printed until all the evidence connected with it should be printed also. Now as a great deal of that evidence was not yet before the House, he did not think that this motion could be consistently acceded to at present; at the same time he could see no objection to print the charge with the evidence.

Mr. Archdale concurred in the opinion of the last speaker.

Mr. Paull was astonished at the opposition made to this motion. When it was asserted that this charge contained strong allegations against the noble marquis, gentlemen should bear in mind, that much stronger allegations were to be found in the dispatch of the India directors, of which so many thousand copies had been published, and also in a letter addressed by the secretary of the India directors to Lord Castlereagh when at the head of the board of controul. Gentlemen might determine to protect Lord Wellesley; but his conduct had been decided upon elsewhere, and that by the persons most interested and best acquainted with the subject; and a majority of 980 India proprietors had, against a minority of 175, pronounced, by a solemn vote, that the noble lord's conduct was highly culpable. The honourable gentleman proposed to the gentlemen on the other side, if they would not agree to the present motion, to fix upon some day not later than the 10th of July for the printing of this charge.

Mr. Johnstone lamented that a question of such trifling,

or rather of no importance, should be so often pressed upon the attention of the House. The honourable member, in opposition to the remarks of his learned friend (Dr. Laurence) asserted, that the demeanor of the honourable gentlemen behind him (Sir A. Wellesley, and the honourable W. Pole), was marked by good temper and propriety, although he was ready to own that his learned friend's remarks would be somewhat applicable to the noble lord who generally sat on the same bench with him (Temple) who seemed resolved to dictate what course the House should pursue in this investigation. The honourable member denied that the court of India proprietors meant to declare any opinion as to the charges against Lord Wellesley in the vote of approbation which they had thought it their duty to pronounce upon the conduct of their own directors.

Mr. Holt Leigh conceived, that delicacy to such an illustrious character as the noble marquis required that the charge should not be printed without the evidence.

Lord Folkestone was for printing it.

Lord H. Petty said, that, as there appeared little doubt that the evidence would be soon printed, and as the only objection to printing the charge was, that it ought not to be printed before the evidence, he conceived the best way would be to postpone the motion for the present. He, therefore, moved the previous question.

This motion was asquiesced in by Mr. Paull, and Sir A. Wellesley, and agreed to without a division.

AUDITORS COMMISSION.

The House having resolved into a committee of supply,

Lord Henry Petty moved that a salary not exceeding 1500*l.* a year should be granted to each of the commissioners first named in the new commission for auditing public accounts, and a salary of 1200*l.* to the other commissioners; and also an additional sum for incidental expences attending the said commission.

Mr. Bankes considered the salaries rather too high, and the commissioners too numerous. At the same time, the honourable member took occasion to recommend the adoption of a principle in this arrangement which ought, in his judgment, to prevail in all the public offices—namely, an increase of salary to the subordinate officers, who, it was known, were the only efficient persons, and a proportionate decrease of the salaries of the principals. Those upon whom

whom the *onus* of the public business devolved ought, in common justice and policy, to be adequately rewarded.

Lord Henry Petty said, that, from the importance of the institution to which this motion referred, it was thought right to place the gentlemen who were to conduct it upon the same footing as the principals of other public boards, namely, those of customs and excise; and upon that footing the amount of the salaries was adjusted. As to the number of the commissioners, he hoped he had already stated enough respecting the quantum of the business they had to go through, to satisfy the House and the country upon that point; and with regard to the other point alluded to by his honourable friend, he could assure him that care would be taken in this arrangement that the business should not be left to the lower officers, but that the commissioners should be obliged to do it themselves.

After a few words across the table between Lord Henry Petty and Mr. Huskisson, the motion was agreed to, the House resumed, and the report was ordered to be brought up the next day.

WEST INDIA TRADE BILL.

On the order being read for the further consideration of the report,

Lord Castlereagh hoped the noble lord would not proceed in the business that night, as many gentlemen had gone away on the supposition that it would not come on, on account of the absence of a noble lord (Temple), who had taken an active part in introducing the bill. Those gentlemen might wish to deliver their sentiments, both in the present stage and when the bill should be in the committee, and also upon the third reading. He hoped, from the candour of the noble lord, that he would agree to postpone this business till a farther night.

Lord H. Petty said he could not forego the bringing forward this measure in its regular course. He could not see any reason why gentlemen who wished to debate it should have left the House. They had notice both from the orders of the House, and by express communication from himself, that it would come on that day, and he could not conceive what circumstance could make them understand that it was not to come on. He could not delay measures of importance merely because gentlemen did not chuse to attend.

Mr. Yorke and Mr. Huskisson considered, that it would be improper to press forward a business of such importance, in the absence of gentlemen who wished to be present at the discussion of it.

The Attorney General thought that no sufficient reason had been assigned for the absence of any member who wished to be present at the discussion. If they had but taken the trouble of asking if the business would come on, they would have been answered in the affirmative.

Sir C. Price expressed a hope, that when the discussion came on, he would be able to advance some new grounds, which might influence many members to change their opinion.

Mr. Windham allowed it was customary to postpone a business when a sufficient reason was assigned, but not when there was no reason at all, but merely that several gentlemen who were in the habit of speaking upon the question, chose to absent themselves that night. The only fact that the House knew was, that those gentlemen were not in their places; but as to the allegation of the noble lord, that they understood the business was not to come on, he was at a loss to conceive what could have inclined them to think so.

Lord Castlereagh, with some warmth, said, that the noble lord (H. Petty) when he had been longer in office, would learn, that it was not the most fair and prudent exercise of his authority to press subjects forward to discussion in the absence of those who could assist materially in the discussion.

Mr. Giles thought that the business should not be retarded merely on an allegation that some members had misunderstood what they would be known, if they had but taken the trouble to inquire.

After a few observations from Sir James Pulteney, the bill passed the committee, was ordered to be engrossed, and read a third time the next day se'nnight.

The East India shipping bill was read a second time, and committed for the next day.

MILITIA BILL.

The order of the day for the second reading of the militia tests bill being read,

Mr. Yorke enquired of the right honourable secretary, whether

whether it was intended to extend the principle of this bill, or of the training bill, to Scotland?

Mr. Windham answered, that certainly there was no such intention as to the training bill, nor did he think there was any upon this bill either. But as to the latter he was not prepared to answer so decisively.

Sir William Elford requested to have some explanation from the right honourable gentleman, as to a point which he did not fully understand, in his speech upon the opening of his military plan, namely, whether he proposed to abolish the ballot for the militia altogether, and recruit that force by bounty, or merely to suspend the ballot by way of experiment, until the militia should be reduced to the number at which they were in future to remain?

Lord Castlereagh was surprised at the policy of declining to extend this bill and the training bill to Scotland, which was a part of the empire so peculiarly distinguished for its military character. There might be reasons of policy for not extending the principles of those measures to Ireland; but, he could not conjecture that they were applicable to Scotland.

Mr. Windham observed, in reference to what had fallen from the honourable baronet (Sir William Elford), that a more proper time would come for considering the question relative to the mode of keeping up our militia force in future. It would be a point very fit to be mooted hereafter, whether that force should be supplied by ballot, or whether recourse should be had to recruiting by bounty. But at present the intention was rather to let the vacancies which might occur in the militia, remain unsupplied until that body should be reduced to the standard at which it was intended permanently to continue.

Sir W. Elford asked whether, if, for instance, a regiment of militia should be reduced one-half, none of the vacancies in that regiment should be filled up until the whole of the militia body should be reduced to the standard which the right honourable secretary had in view?

Mr. Windham answered, that the intention was exactly the affirmative of the honourable baronet's question.

Sir James Pulteney took occasion to recommend a farther recruiting from the militia. Indeed, notwithstanding the objections urged to the principle of that plan, he neither saw nor heard of any mischief that resulted from the practice, at either time that the experiment was tried,

while he knew that it was highly productive to the army. In his opinion it would be wise to allow the whole of the militia to volunteer into the line, and when reduced, in consequence, that the several regiments should be sent to their respective counties, to recruit their complement. Upon moving such complements, he would rather recommend that they should be divided into certain portions, to be trained and kept under arms in rotation, a certain part of the year, instead of the present practice of keeping the whole body under arms throughout the year, which struck him to be quite unnecessary for military purposes, and therefore an useless expence to the country. The honourable baronet hoped that it was not in contemplation to get rid of the ballot—for sure he was that if that mode of raising men were abandoned, the state would at length be reduced to the necessity of having recourse to conscription.

The bill was read a second time, and upon the motion for its committal,

Mr. Yorke rose to ask what was to be understood as the amount of the militia proposed to be permanently kept up? Previous to 1802, that establishment amounted to only 30,000, but in consequence of an act of that year, it was raised to 40,000 for England and Wales, and 8,000 for Scotland. By the repeal of the army of reserve and additional force acts, which repealed the clauses for raising the supplementary militia, these clauses were again come into existence, and any county was liable to be called upon, and fined for neglecting to raise such militia, unless some legislative provisions were adopted to guard against it. This he begged leave to suggest to the consideration of the right honourable secretary: but his principal motive in rising was to ask whether it was intended to reduce the militia to the antient establishment, or to that settled by the act of 1802?

Mr. Windham replied that the reduction was intended to the number settled by the act of 1802. As to the other point, the right honourable secretary had said that care would be taken to make the necessary provisions.

The bill was ordered to be committed on Friday.

MARQUIS WELLESLEY.

The House then went into a committee on the Oude charge, Mr. Hobhouse in the chair, when on the motion of

of Mr. Paull, Major General St. Leger was called in. The object meant to be gained by his evidence, was the effective force of the 27th dragoons to which he then belonged, in each month, during the time they were employed in the Nabob's service. For this, however, the general referred to the returns made.

His evidence being finished, the chairman reported progress, and obtained leave to sit again on Friday; Mr. Paull having previously declared that the only other evidence beside Sir James Craig, whom he had to examine, was Captain Salmon, if on the production of the account even the re-examination of that witness should be deemed necessary.

On the motion of Mr. Paull, the return of the actual strength of the 27th dragoons, as ordered to be made on the 5th June last, was ordered to be made forthwith.

Mr. Vansittart brought in the Newfoundland fishery bill, which was read a first, and ordered to be read a second time.

Mr. Vansittart presented an account of the sums paid from the civil list unprovided for by Parliament, according to order.

On his motion an humble address was ordered to be presented to his Majesty for a farther list of all such sums still unprovided for.

The others were postponed, and the House adjourned.

HOUSE OF LORDS.

THURSDAY, JUNE 26.

In the committee of privileges, evidence was examined respecting the claim of Sir Cecil Bishop to the barony of Zouch. Mr. Adam was heard in behalf of the claimant, and the attorney-general on the part of the Crown. The further consideration of the claim was then postponed to that day fortnight.

Some further discussion took place in the committee of privileges, during which strangers were excluded.

The further hearing of the appeal, Martin *v.* Macnabb, was postponed till the next day.

The excise regulation bill was read a second time, and committed for the next day.

Simpson's

Simpson's divorce bill passed through a committee, in which the clause for bastardizing the children was on the motion of the lord chancellor, struck out. Report the next day.

The committee on the Irish post roads bill was postponed till the next day.

Lord Viscount Melville adverted to the dispatches recently received from India, announcing events of the greatest importance in their nature and consequences, and to the absence of a noble lord, from whom he wished to derive some information connected with this subject. His object at present was to state to the House, that on Monday next, if the noble lord to whom he had alluded should then be in his place, he should ask a question of that noble lord respecting the ultimate determination of his Majesty's government relative to Sir George Barlow; and if the answer he received was not satisfactory to his mind, he should then give notice of a motion on the subject.

It having been suggested to summon the lords for that day,

The Duke of Norfolk objected that it was unusual to summon their lordships for a notice.

Lord Viscount Melville in explanation said, that he did not mean to give any notice now of a motion, but that it would depend on the answer he received on Monday, whether he should then give notice of any motion.

On the third reading of the Temple-bar and Snow-hill lottery bill,

The Duke of Norfolk urged several objections to the bill, which he did not think ought to be viewed in the same favourable light as the lotteries of Alderman Boydell and Mr. Bowyer, which were connected with a national object. In this instance the parties had speculated with a view to their own individual interest, and he thought that Parliament ought not to interfere in their favour in the manner proposed. The extension of lottery bills he objected to in general, as tending to encourage gambling.

The Lord Chancellor agreed in the general objection to the extension of lotteries urged by his noble friend, but he did not think that this bill would in any degree tend to encourage a spirit of gambling, where it was most injurious, among the lower classes of the people. He conceived this bill to be connected with a great public object, that of beautifying the metropolis; and after the deterioration which the parties

parties had experienced in their property, from unavoidable causes, and the expence they had been put to in carrying the bill to its present stage, he submitted to the noble duke whether it would not be advisable, under the circumstances in which the case stood, that the bill should pass.

The bill was then read a 3d time and passed. Adjourned.

HOUSE OF COMMONS.

THURSDAY, JUNE 26.

A person from the customs presented the accounts ordered the preceding day, upon the motion of the Lord Advocate of Scotland, relative to the shipping concerned in the trade of the east coast of Scotland, &c. which account was ordered to lie on the table, and to be printed.

Mr. Hobhouse brought up the report of the Irish export and import bill, which was agreed to, and the bill ordered to be read a third time.

Mr. S. Lefevre presented a petition from certain merchants, traders, and fishmongers, and from the inhabitants of Brighton, in favour of the Brighton jetty bill. Ordered to lie on the table.

Mr. Tierney presented a petition from certain butchers and fellmongers, resident within fifteen miles of London, against the flaying bill. Ordered to lie on the table.

The Irish revenue jurisdiction bill was read a second time, and committed for Monday.

The House in a committee went through the Irish distillery bill, and the report was ordered to be brought up the next day.

The Lord Advocate of Scotland, pursuant to notice, moved that the report of the committee, of July 1803, relative to a light-house at the Bell, off Cape Rock, on the eastern coast of Scotland, should be referred to a committee of the whole House. Ordered, and that the said committee should sit the next day.

Mr. Grenfell presented a petition from the London assurance company, against the Globe insurance incorporation bill. Ordered to be referred to the committee upon the said bill, and that counsel should be heard in support of the said petition.

Mr. Calcraft moved, pursuant to notice, for leave to bring in a bill for granting compensation to the proprietors of certain lands at Chatham, Woolwich, and Warley-common,

mon, upon which, in consequence of an act of the 44th of his Majesty, certain buildings had been erected for the use of the ordnance. Leave given. The bill was accordingly brought in, read a first, and ordered to be read a second time the next day.

Mr. King brought in a bill for amending the post-office acts, with a view to prevent the secret conveyance of letters, to the injury of the post-office revenue. Read a first time, and ordered to be read a second time on Tuesday.

Mr. Hobhouse brought up the report of the bill for regulating the office of the receiver-general of the post-office, &c. which was agreed to, and the bill ordered to be read a third time the next day.

Mr. Rose presented a petition from the trustees of the British Museum, praying aid to complete the purchase of Mr. Townley's collection, and to finish the buildings now erecting for the use of that institution.

Lord Henry Petty having communicated his Majesty's consent to this petition, it was ordered to lie on the table.

VOLUNTEERS.

Mr. C. W. Wynne said, that in consequence of something he had heard was mentioned in the House the preceding day, he thought it necessary to state, that no communication whatever was made to the volunteers from the executive government since the 1st of February last, and that there existed no disposition whatever to withhold any information that might be desired upon the subject. Every paper that had been ordered was already before the House; and if the honourable colonel who alluded to this subject the preceding day, thought proper to move for others, they would, if forthcoming, be immediately granted. Here the honourable member read the papers relative to the volunteers, which had been written from the secretary of state's office since January last; and expressed his readiness to accede to any motion that might be made for their production. The honourable member took notice of the order for regular returns from the several volunteer corps, with which order the corps under the command of the honourable colonel had not complied; and before the honourable colonel had ventured to charge a public officer with neglect of duty, he ought to have taken care, if not to perform his own public duty, at least to be better informed as to the attention of others to that point.

Col.

Col. Bastard disclaimed the intention of imputing any neglect to the office to which the honourable member alluded. The honourable colonel would be glad to have all the volunteers on the same establishment, and therefore did not object to the proposed change. As to the returns which ought to have been made from the corps under his command, he had to state that although the commander of five or six battalions, he left altogether the drawing of pay and the making of returns to the commanders of the several battalions, he being himself unable to attend to such things, from his connection with the militia, with whom he generally was out of the county in which the volunteers alluded to were stationed. The honourable colonel concluded with moving for copies of the letters addressed by Mr. Smith, of the secretary of state's office, to Mr. Moore, of the war-office, dated January 27, and February 1; and also of that addressed by Earl Spencer to the Secretary at War, in March last.

The two first letters were ordered, and upon the motion being put as to the last,

Col. Bastard expressed a hope that the volunteers would know ere long upon what footing they were to stand, as much confusion resulted from the uncertainty in which they were at present placed. Indeed the evil was such, that he could with difficulty contrive to keep quiet the corps over which he had influence, until their fate should be known. Perhaps this uneasiness might have arisen from misrepresentation, but certainly the regulations respecting the volunteers ought to be announced with all convenient expedition.

Mr. Wynne was surprised that any such uncertainty should prevail, as the honourable colonel alluded to. For it was already very explicitly declared, that among that great majority of the volunteers, who were on the August allowance, no change whatever has taken place, excepting the reduction of the drill serjeants' pay. And as to those on the June allowances, the intended change was very fully understood. With regard to the other point in the honourable colonel's speech upon the subject of the future regulations of the volunteers, they were of course to act upon the regulations at present existing, until the new regulations were communicated to them. These new regulations were already in a very forward train, and would be sent to the several corps as soon as they could be prepared. Upon the

conduct of the honourable colonel, or his corps, he meant to make no other remark than was warranted by fact. As to drawing for pay, he could not say that the honourable colonel's sub-commanders had neglected their duty upon that point, nor indeed did he ever hear of any volunteer officers who were at all remiss in drawing for pay; but he was enabled to state, from papers he held in his hand, that notwithstanding the utmost endeavours on the part of the secretary of state's office, and frequent exhortations to the several commandants, to make the regular returns four times a year, no return had been made from the corps under the honourable colonel's command, on any of the quarters ending in the months of August, December, or April last.

Mr. Long asked the honourable gentleman, if he was competent to answer, whether it was meant that if any of the corps upon the August allowance should be reduced in number, they would be at liberty to admit new members, under the same regulations as formerly?

Mr. C. Wynne answered, certainly, until fresh regulations should be made out.

After a few words from Mr. S. Bourne,

Mr. Wynne repeated, that no diminution of allowance to the August volunteers would take place; at the same time he begged to be understood as not pledging himself to that point.

The motion was agreed to.

The Newfoundland trade bill was read a second time, and committed for Tuesday next.

Mr. Wynne brought up the papers ordered on the motion of Colonel Bastard. Ordered to lie on the table.

BANKRUPT LAWS.

The Solicitor General rose, pursuant to notice, to move for leave to bring in a bill to alter and amend the bankrupt laws, or rather, he said, more correctly speaking, to remove certain defects in those laws. It was by no means his intention to attempt the amendment of the whole of the law upon this subject, but to remove certain great defects, the mischievous consequences of which were every day observed, and most sensibly felt by all who had any opportunity of considering the question. His object at present simply was, to introduce some regulations which were obviously necessary. According to the existing bankrupt law, any acts done, or debts contracted by the bankrupt, in the course

of the period which intervened between the committal of the act of bankruptcy and the taking out of the commission, was, as it affected the creditors, completely annulled. The evils resulting from this provision were of the most serious nature; for it often happened that a bankrupt had sold a real estate, and received the money for it, after the committal of an act of bankruptcy, and yet, unless according to the act of the 21st of James I. such sale had taken place five years before the commission was taken out, the purchaser was deprived of his purchase, and it became the property of the assignees of the bankrupt. Another evil resulting from the present law was, that if money was lent to a bankrupt at any time during the period just referred to, such money was liable to be distributed among the creditors, and the lender was not, any more than the purchaser of the estate, allowed even the small consolation of receiving a dividend, or any portion of his money from the bankrupt's effects, nor had he, indeed, any remedy at all. The learned gentleman referred to the acts which it was his object to amend, and proceeded to observe upon their nature, the principle of all which was to protect the debts of a *bona fide* creditor's bankrupt. That act, the House must be fully aware, which in law was an act of bankruptcy, was by no means an act of notoriety, nor even such generally as a creditor could by the utmost vigilance contrive to know. In most cases, indeed, it was an act known only to the bankrupt himself, or any of his servants, who by his direction denied his being at home upon a creditor's calling for him. Why then, the learned gentleman asked, should such mischiefs as those he had described be allowed to accrue to men liable to deal with a bankrupt under such circumstances? and why should their ignorance of an event, which it was almost impossible for them to know, be permitted to involve the forfeiture of their just claims? But these were not all the evils which the present law produced; for it was not less severe against the bankrupt himself than it was against his creditors. The avowed principle of the bankrupt law was, that when a bankrupt gave up all his property he should be discharged from all his debts: but by the law as it now stood, that principle was not acted upon; for the bankrupt's total release from the commission did not protect him from those debts which he might, perhaps unknowingly, have contracted after the committal of the act of bankruptcy which led to such commission; therefore

the bankrupt was placed in the extraordinary situation of being called upon to pay that which he could have no property to pay, unless he were guilty of an act of felony.

What he had already stated the learned gentleman conceived quite enough to impress upon the House the necessity of amending this law. But there was a still greater evil than any he had mentioned, produced by the present system. If, after a commission had been taken out, an act of bankruptcy was proved anterior to that upon which the commission was grounded, all the proceedings of such commission were void, and the commission was superseded. In consequence of which the assignees, who were made responsible for all the bankrupt's property they possessed, or had previously sold, were placed in a situation of extreme hardship. It had not unfrequently happened, and indeed, in the course of his own experience, he had known an instance in which a first, second, and even a third commission had been set aside in this way. In that instance, as no doubt in others, the object was to defeat the proceedings taken against the bankrupt, by whom, with that intention, the anterior acts of bankruptcy were kept back.

If then, in addition to the injuries thus arising to the bankrupts, the assignees, and the creditors, one considered the enormous expence of actions depending on the committal of acts of bankruptcy, the amount of the bankrupt's property dissipated in such actions, and with no other object in general than mere litigation, it was impossible not to feel astonished that the law should have been suffered to remain so long in its present state.

Three modes were suggested, the learned gentleman stated, of remedying the evils complained of: the first was, entirely to abolish one of the great principles of the present bankrupt laws, namely, that no man should be considered a bankrupt until the time at which the commission should be taken out. But various objections offered against this suggestion, arising out of the expedients notoriously resorted to by bankrupts fraudulently disposed. Another provision was recommended, that no commission should be granted unless the act of bankruptcy alleged by the petitioning creditor had taken place a certain time before the commission, according to the advice of some, three or six months. But to this recommendation he knew of several objections, which urged at least the propriety of a much greater distance of time. When it was considered how reluctantly

luctantly creditors in general took out a commission of bankruptcy, how frequently they granted a deed of trust in order to avoid bringing expence and trouble upon themselves, or disgrace and ruin upon the bankrupt, and when it was recollected that those deeds were often protracted much longer than six months, he trusted the House would feel that no such period ought to be fixed. But although great inconvenience and injustice might result from such an arrangement, still the law was not to be left as it stood. It appeared to him, that without fixing any period upon this point, *bona fide* debts contracted by the bankrupt at any time before the commission, should be recoverable from the effects of the bankrupt, notwithstanding any previous act of bankruptcy. This seemed to be the only remedy fairly applicable to that part of the law, namely, that all honest debts contracted, all payments made, all conveyances and engagements entered into by the bankrupt, should be good and valid, notwithstanding any previous act of bankruptcy, provided the person or persons entering into such contracts or lending such money to the bankrupt, should have no notice of such act of bankruptcy, or knowledge of the bankrupt's insolvency. He proposed too, that as to such debts, the bankrupt's certificate should be a protection, as complete as with regard to any debts claimed under the commission. Another object of the bill he meant to bring forward would be, that no commission of bankruptcy should be superseded in consequence of previous acts of bankruptcy done by the bankrupt; and also, that debts contracted by the bankrupt, which were not payable until after the commission was taken out, should be provable under the commission, whether they were simple debts or those for which securities were given. The learned gentleman concluded with observing, that these were the only objects which the bill he proposed to bring forward had in view.

Leave was given to bring in the bill, and the Attorney and Solicitor Generals, with Mr. Perceval, Mr. Morris, and others, were appointed to prepare and bring in the same.

Mr. Hobhouse brought up the report of the committee on the propriety of granting certain salaries to the new commissioners for auditing the public accounts, which was agreed to, and it was ordered that the gentlemen appointed to prepare and bring in the auditors' bill, do make provision pursuant to the said resolution. A similar order was made to the gentlemen who are to bring in the Greenwich

pension

pension bill, upon the resolution of the committee upon the prize act which sat the preceding day.

Sir John Newport brought in, and moved the first reading of the Irish infirmary and poor-house bill.

Mr. Bagwell presented his thanks to his right honourable friend, for discovering and bringing in this measure for the relief of the poorest of the poor. The honourable member recommended the erection of houses of industry in the several counties of Ireland.

Mr. Foster was quite adverse to the principle and provisions of the bill.

Mr. Alexander spoke on the same side.

Mr. Bernard was surprised at the opposition to this measure, the necessity for which must be obvious to any man who had at all travelled in Ireland.

After a few words from Sir John Newport, the motion was agreed to, and the bill ordered to be read a second time the next day.

The House in committee went through the East India shipping bill, and the report was ordered to be brought up the next day.

TRAINING BILL.

On the motion of Mr. Windham, the House went into a committee on the general training bill.

In the committee *Mr. Yorke* observed, that there were many inaccuracies in the bill, yet as he was a friend to the general principle, he had been willing that it should go into a committee, in order to see what amendments should be made. It was desirable that we should have such a bill on our statute-book, not only on account of the training, but because such a measure would tend to blend the militia and volunteers in such a manner as to form a second line for the army. But he objected to the bill, first, because it differed from the measure which he had proposed in 1803, in this, that it went to restrain the prerogative of the Crown, whereas his bill extended it. His next objection was, that the provision of the bill did not extend to North Britain, and he could not see why Scotland should be exempted. As to the volunteers of Scotland being better trained, and the necessity of this measure being therefore superseded as far as respected that part of Great Britain, it ought to be considered that most of these volunteers had been on the June allowances, and that when these

these were taken away it was likely that their numbers would be much diminished. He concluded by moving that the word "England" be left out, and that the words "Great Britain" should be substituted in its stead.

Mr. Windham stated the reasons why the provisions of the bill should not immediately extend to Scotland. In the first place, to a great part of the country, especially that part called the highlands, the bill would not apply, and besides, from the general habits of the people, it was less necessary. In Scotland the people were also better trained and more military than here. The state of the volunteers was superior, according to what he had learned, not in point of numbers, for he did not know that in this respect they exceeded their proper proportion, but in point of discipline. But then came the objection that the numbers of the volunteers would be much diminished by withdrawing the June allowances. Though gentlemen seemed to hold out such considerations as these somewhat in the way of a menace, yet he was willing to hope that this menace or expectation was ill-founded. It ought to be considered, that if the allowance was diminished, the duty was also diminished. To that part of Scotland called the lowlands certainly the bill might be more applicable; but still it was thought proper to try the experiment in England, and not to include Scotland in the first instance. There might be reasons why it should not extend to Scotland at all, though he rather thought it might at some future time; but at all events it would be imprudent to extend it to Scotland now. Another reason was the advanced state of the session, when many gentlemen of that country were out of town, and, therefore, he would oppose the amendment.

Sir James Pulteney saw no reason why the provisions of the bill should not extend to Scotland. It might not apply to the Highlands; but why not extend it to the Lowlands, which was the most populous part of the country, and that part too which was most exposed to attacks from the opposite coast? He allowed the excellence of the volunteers in that country, but it was to be considered, that on account of the distance from the capital, there was but a small regular force kept there, and therefore it ought to have the advantage of every other mode of defence. Whether or not the volunteers would be diminished, he should not say, but he hoped that whether the provisions of

of the bill were to be applied to Scotland this year or not, they should be afterwards applied to it.

Mr. Perceval observed, as to the point of the bill's not being applicable to Scotland, that the provisions of the bill of 1803 had, in fact, extended to that country. The reasons given for not extending this measure to Scotland were perfectly nugatory, for they would apply equally well to many parts of Wales, Cumberland and Westmoreland, in the mountainous districts of which the population was very much scattered. But at any rate there was no reason why the bill should not extend to the Lowlands of Scotland. Though the people might be more military and better trained, still the King ought to have the power of calling them out; and this he might exercise according to his discretion, and exempt particular districts as circumstances should require. There was no difficulty in executing the militia laws in Scotland, and why should not this measure be extended to that country, when the principle was the same? But then it had been said that the volunteers were in a better state there. It was certainly to be considered, that these were to be deprived of the June allowances, and scarcely any motive but their zeal would remain to keep them together; and here the reasoning of the ministers themselves, that a variety of motives, such as the ballot for the militia and the army of reserve, were necessary to induce men to continue in those corps, might be turned against themselves. He would certainly, therefore, support the amendment.

Colonel Wood observed that the militia laws were new in Scotland, and had at first occasioned considerable dissatisfaction there. He thought, therefore, that it would be better to wait for another year, before the principle of this bill should be extended to Scotland.

Mr. Calcraft said, that his reason for not wishing to extend the provisions of the bill to Scotland, in the first instance, was, that the experiment might not be tried on too great a surface, but that it ought to be confined to the country where it was most applicable. As to the act of 1803, it was to be considered that it had not been carried into effect; and it was questionable whether, at the time it was brought in, it was intended to be carried into effect.

Colonel Bastard disapproved of the invidious practice of giving such a marked preference to the volunteers of Scotland. He contended that the volunteers of England were

were, in every point of view, equally deserving. But his reason for wishing that the bill should apply to both countries was, that few or none would come out under this bill who could pay the fine, and therefore it would operate as a tax which ought to be equally borne by both countries. This bill imposed fines like the parish bill, and we had already shewn the people that they ought not to pay them, as the fines under the parish bill had been remitted. He thought, however, that both countries should be equally taxed. The late period of the session he considered as no objection to this.

Mr. Windham remarked, that gentlemen argued as if he had said that the lateness of the session precluded him from doing what he otherwise would have done. He had said no such thing, for though this might be a motive for the House to oppose the amendment, he allowed that it was no justification of ministers. But he had said, that at whatever time the measure might have been brought forward it ought not to apply, in the first instance, to Scotland. As to the general principle of applying to one part what was not applied to another, the gentlemen on the other side ought to think of their own practice, and not insist on the principle of equality too broadly, because in that view Ireland also ought to be included. There might be reasons why the bill should not apply to Scotland for two or three years. Perhaps it might never apply, although he rather thought that it might some time hence. The militia ballot too, was in force in Scotland, and this would be a motive for the volunteers to continue in their corps. As the situation of Scotland was not so favourable to this bill, we might, in applying it, also lose the good will of the people.

Lord Castlereagh observed, that if this bill was not to be applied to Scotland because it would not be satisfactory, it ought not, for the same reason, to be applied to any part. If it was intended as an experiment, the experiment ought to be tried on a narrower surface still, and to be confined to the county of Norfolk, with which the right honourable secretary was more particularly connected. As to Ireland, no argument whatever could be founded on its not being proper to apply the bill to that country, in favour of the exception of Scotland. The state of the two countries was totally different. The circumstance of the militia-ballot being still in force in Scotland pointed out to

him a defect in the right honourable gentleman's military system, of which he had not before been aware. The militia-ballot was to be given up here because it injured the recruiting service. But now it appeared that it was still retained in that place where the recruiting could succeed best. He thought that both countries ought to be included in this bill.

Mr. Whitbread made a variety of observations on the former defence bill, which, he said, had produced effects of which its authors were not aware, and which had excited a zeal for forming volunteer corps, which they afterwards endeavoured to repress. It had been said, that the bill would operate as a money bill; but he thought, that very few of the lower classes would hesitate for a moment, whether they should pay 5*l.* of fine, or submit to the discipline of a short period, for which also they were to be paid, as a compensation for the loss of time. He did not conceive that those who were drilled, under the operation of the bill, would be subjected to any sort of ridicule. There might be reasons for exempting Scotland for the present, arising from distinctions between the two countries; but it did not appear that any corps was about to be disbanded, because the June allowances were to be withdrawn.

Lord Castlereagh and Colonel Bastard explained.

Mr. Bankes declared that he had never heard a measure supported on such slender grounds, or by so little good sense. The bill was to be considered both in the light of a benefit and a burden, and he could see no reason for confining its effects to one part of the country. With regard to the most extensive and populous part of Scotland, whatever was applicable to England was also applicable to Scotland. As to the bill being a matter of experiment, he would ask, was a small surface selected, when it was proposed to extend the experiment to all England? and why should England alone be selected for this experiment, which, if not found to answer, was to be withdrawn, after the feelings of Englishmen had been sported with? Were we so vile and contemptible as to be called upon to bear this burden alone? From all he had heard of the volunteers of Scotland, he was disposed to speak of them with respect, but it gave him pain to listen to the invidious and unfair comparison that had been made by a right honourable gentleman this night. He would ask him, what he had to complain of as to the zeal or discipline of the volunteers of England? On the

the whole he thought, that Scotland, where the great body of the people had the same manners and habits with the people of this country, should not be exempted from a burden which this country was to bear. With regard to the number of men that would come forward to be disciplined; he was not very sanguine on that point. It would be a material drawback with many, to consider that they were liable to be drafted into any regular regiment, for an unlimited period, as might happen to be the case under the bill.

Colonel Eyre considered, that for a permanent military arrangement, there was too much of severity in this system. The people of England were ready to bear those hardships which appeared necessary, but not those burdens for which they could see no necessity. When there was a pressing danger, the volunteers appeared sufficient to meet it: and if there was any relaxation in their discipline, or deficiency in their numbers at the present time, it was merely because the danger was less urgent.

Mr. C. W. Wynne thought the provisions of the bill not applicable to Scotland at present. When it was now argued that this bill, by inflicting a fine, imposed a great burden on the people of England, he must beg leave to remind the right honourable gentleman (Mr. Yorke) who brought in the other bill, that that was supported merely by arguments on what was called the undoubted prerogative of the Crown, and that there were no means given of escaping its operation, even upon the payment of a fine. It must, therefore, evidently appear, that the former bill was a greater burden imposed upon the people of England. An honourable gentleman was mistaken who supposed, that because the fines were remitted which were due in consequence of the parish bill, that therefore the fines must be remitted which would become due under this bill. The reason that the fines were remitted to the parishes on the former bill was, that it was conceived unjust that they should be fined for not raising men, when it was impossible that they could have raised them. Nobody, however, would say, that there was any impossibility to prevent the service of those who should be balloted under the present bill.

Lord Binning thought that whatever there was of good or of evil in the present bill, should be extended as well to Scotland as to England. He did not like a gratuitous and unnecessary distinction between one part of Great Britain and the other. He thought the principle of the present bill

was generally applicable to Scotland, for there was not more than a fourth of the whole population of that country under the circumstances which were stated as an objection. There were several parts of England and Wales that lay open to the same objection; but he did not see why the whole of Scotland should be exempted on account of the circumstances of a part. As to the volunteers of Scotland, they were entitled to every degree of praise, but, at the same time, he thought that equal credit was due to the volunteers of England, and therefore that the argument founded on a distinction between them was entitled to little weight.

Dr. Matthews was of opinion, that the experiment would completely fail, and therefore it was not of much consequence on what scale it was tried.

Mr. Huskisson perceived a great inconsistency in the arguments of the supporters of the bill. At one time, they spoke of it as an experiment, which, in another year, might be extended to Scotland; and, at another time, they spoke of it as inapplicable to Scotland, on account of the smallness of its population. This last objection had no sort of connection with the former; for whether the experiment succeeded in England, or whether it failed, the mountains of Scotland would not disappear, and the highlands would remain just as they are. As to the argument of freeing Scotland from the burden on account of the number of the volunteer corps, he must observe, that the more volunteer corps were scattered over the country, the less would be the pressure. If there were fewer corps in England, of course it was more difficult for men to escape the operation of this act, by entering into them, as men could not in every part of the country find a volunteer corps to join. There was another argument which had been stated, but which he could by no means assent to. The mover of the bill supposed, that there was great dissatisfaction in Scotland about the militia. He would confidently assert, that, although there might have been some ferment in 1797, when the militia was first introduced in Scotland, yet at the present day there was no dissatisfaction upon that subject.

Mr. Calvert thought that the great advantage would be rather in the enrolling the men, than in the training of them. As to the enrolment, he could see no reason why that should not take place in Scotland; and as to the training, that was a thing which might or might not be acted on, according to the circumstances of the country.

Mr.

Mr. Windham said, it appeared to him that it was a serious objection to bringing on a measure which would affect Scotland so much, at a period when a great number of the Scotch members had gone home, and were at such a distance that it could not be expected they would return to be present at the discussion. He could not allow that the fine proposed was any burden at all, as it was only a commutation for a duty which it was allowed by every body that the country had a right to call for. If this duty were performed, there would be no fine, and if any man wished to exempt himself from performing this duty by paying the fine, he certainly could have nothing to complain of. If he had not proposed a greater fine, the reason was, that he really hoped that the bill would be efficient, and that a number of men, even of a better description (to whom the shilling a day would be no object) would, by their personal service, set an example to their neighbours, and shew that they conceived it no disgrace to come forward and receive that degree of instruction which would be necessary to enable them to defend their country if it should be invaded. In describing the awkwardness of serving personally, an honourable gentleman (Mr. Spencer Stanhope) had rather clumsily expressed himself on a former night, when he spoke of the embarrassing situation of a man standing in the ranks between his own groom and his father's chimney-sweep. Now, if a gentleman was obliged to stand in the ranks next to a chimney-sweep, he did not see how it made the matter worse that it was his father's chimney-sweep *(a laugh)*. All this awkwardness would, however, be done away by the present bill, for if the gentleman did not chuse to enter a volunteer corps, he might still be exempted on paying his fine of *5l.*

Mr. Yorke thought it his duty to take the sense of the House upon the present question. The question was not merely about extending a new experiment to Scotland, but it was whether Scotland should be exempted from what it was now liable to by the existing law (the levy-en-masse act); and whether it should be free from a burden which England was called upon to bear. As to the difference between Scotch and English volunteers, he trusted the right honourable gentleman did not mean to rest on such an invidious distinction. The question then was merely whether Scotland should be exempted because a part of that country was thinly inhabited? He could not allow that there was any other objection; for, at the time that he was in administration,

nistration, and had the honour to bring in the former bill, he never had heard a single word of objection from any Scotch member, on the ground of its producing dissatisfaction. Under that bill there was a complete return of the enrolling in Scotland, and he therefore saw no reason why the men who were ready to be enrolled, should not also be trained. As to the thinness of population in certain districts, that ought to be no objection. The bill should be made general, and there might be clauses which would confine its operation in districts where there were any local objections. As to the late period of the session, that could not be relied upon by the right honourable gentleman as an argument, as several months had elapsed since his opening speech, and he had had time sufficient to have brought in the bill perfect.

Mr. Ryder observed, that there were many parts of the Highlands of Scotland, particularly in the counties of Dumbarton and Perth, which were more populous than Wales, Cumberland, Westmoreland, and many parts of England, in which the bill was to operate. As to the lowlands, he conceived them to be exactly in the same situation as England, and that there was no reason why they should be free from this burden.

After a few words from Mr. Wynne in explanation, the committee divided, for Mr. Yorke's amendment,

Ayes, - - - - - - - - - - -	38
Noes, - - - - - - - - - - -	76
Majority - -	—38

On a subsequent clause of the bill respecting the numbers to be enrolled,

Mr. Yorke moved, as an amendment, that these words should be added, "regard being had to the number of volunteers enrolled and actually serving." He considered that the appointment ought to be directed now, as on former occasions, by the number of volunteers. For instance, if Lancashire had 18,000 volunteers, and Yorkshire, which was a much larger county, had but 10,000 he thought that regard should be had to that circumstance, in the apportionment of the number of men for which these counties should be called on.

Mr. C. W. Wynne did not think that the appointment ought to go by districts. The individuals who were in volunteer corps were not liable to be called upon in this force; but he did not see why persons who were not in volunteer corps

corps should claim any advantage merely because their neighbours were volunteers.

Lord Castlereagh thought, that in the apportionment each county and each parish should have credit for the gross number of volunteers they furnished, and that a parish that had most of its population engaged in the volunteer service, ought not to be called upon.

Mr. Windham allowed, that it would be a sufficient answer to the call, if a parish could shew that those who were liable were serving in another description of force.

Lord Castlereagh replied, that if such was the right honourable gentleman's opinion, he was at a loss to conceive what was the object of his bill. He had always understood it, that he wished to raise 200,000 men in England, exclusive of the volunteers, but now it appeared possible, that the bill would not raise a single man.

After a few observations from Mr. Perceval and Sir James Pulteney,

Mr. Windham replied, that he did not absolutely undertake that the bill should raise 200,000 men, for if the men who were called upon by ballot to serve should be actually serving in another way, the intention of the bill would be answered as well.

Mr. Perceval then said, that it was possible that the ballot for those 200,000 men might fall upon part of the 300,000 volunteers; who being exempt, not a man would be raised.

Mr. Yorke thought, that between the volunteers who should be balloted, and the men who would pay their fine of 5*l.* the measure was not likely to be efficient.

Mr. Windham thought that this was supposing an extreme and improbable case. It could not be supposed that the ballot would fall entirely on volunteers, and persons disposed to pay the fine. The ballot would be from the lists of those liable to serve in the militia. The volunteers, of course, were not in that list.

Mr. Yorke replied, that the volunteers certainly were upon that list, and liable to be balloted for, although they were afterwards exempted from serving. He complained of the manner the House was treated on the present occasion. They were referred upon this bill to the schedule of another bill, which was to come on after this was disposed of (he alluded to the militia act, which directs the returns that are

to

to be made under it). This was completely reversing the order of things, and putting the cart before the horse.

Mr. Giles said, he should not go into the details, but argued, that as the men were by this bill to be apportioned according to the number of men liable to serve in the militia, the volunteers could not come under this description, as they were not liable to serve. He saw no objection to this act operating according to the returns which were called for by another act (the militia act). It was generally allowed that it would save a great deal of trouble to magistrates and others, if there should be only a single list, and that of the persons liable to serve in the militia.

Mr. Perceval was not surprised that his learned friend (Mr. Giles) had not chosen to go into details, as the bill was in this respect most inexplicable and unintelligible. The right honourable gentleman who had brought it in had proved that he did not understand it, and was therefore now very properly employed in consulting other people. (Mr. Windham was then conversing with Mr. Giles and others.) He had at first considered that the volunteers were not liable to the ballot; in the next explanation he said they were, but that it was most improbable that the ballot should exclusively fall upon them; and in his third explanation he talked only of his militia lists, and of volunteers not being upon those returns. In this third explanation he was found to be equally wrong, and it could not now be denied, that the names of volunteers would be found on those militia lists. When this bill referred to the schedules of another bill not yet passed, it was giving the right honourable gentleman a strange degree of credit. He viewed his superstructure before he thought of his foundation; and he then told the House, that although they saw no foundation at present, they might depend upon it that he would hereafter make a foundation to support his building. The House might give him that degree of credit if they pleased, and gentlemen might vote for his bill; but if any person who voted for it pretended to understand what he was voting for, he must say that man was either a conjuror or a prophet, if he could foresee and anticipate those things which had not as yet occurred even to the fancy of the right honourable gentleman, which were altogether *in nubibus*, and which the right honourable gentleman could not attempt to explain.

Dr. Laurence affected neither to be a prophet nor a conjuror; but, without either inspiration or magic, he thought

he could correctly understand the clause of the bill, although it was not to be expected that by a layman minute legal details should be accurately set forth in this stage of the proceeding. His honourable and learned friend seemed to expect a precision in this case, which he himself (Mr. Perceval) could not attain, even after his own bills had been ultimately sanctioned: at least, it was evident, that after he had prepared them (the volunteer acts) he did not comprehend their purport; and one of the statutes to which he had just referred, which was designed for operation in the months of July and August, was not carried into effect until, the most ominous day distinguished in the annals of folly and illusion, the first of April.

Some further observations were then made by Sir Wm. Young, Sir James Pulteney, Lord Castlereagh, and Messrs. Windham, Yorke, and Ellison. The latter said, that the right honourable secretary (Mr. Windham) was, by his projects, oversetting the whole system of government in this country. "Although (said he) I wish to support ministers, I will not, and cannot, as they go on."

The amendment as proposed by Mr. Yorke was then put and agreed to.

Several subsequent clauses were then read, on which the former speakers, as well as Mr. Bastard and Lord Howick, stated their sentiments, and several minute alterations were made. On proceeding to the concluding part of the bill, which is intended to regulate the power of his Majesty, with regard to the incorporation of these levies with the regiments, in case of invasion,

Lord Castlereagh again rose to observe, that many material particulars occurred to his mind, which might occasion a protracted debate on this subject; he therefore proposed that the chairman report progress, and ask leave to sit again the next day, which was acceded to, and the report was made, and permission given accordingly.

Lord Castlereagh added, that as in the classification of the men, this bill was necessarily connected with the militia bill which stood for the next day, he hoped that would have the precedence, and, as far as he was concerned, he did not foresee that the delay of two minutes would be occasioned by this arrangement, although it would essentially conduce to the regularity of the proceedings.

A disposition being manifested on the ministerial side to

concur in this suggestion, the chair was resumed by the Speaker, and the House immediately adjourned.

HOUSE OF LORDS.

FRIDAY, JUNE 27.

In the appeal Martin v. Macnabb, Mr. Alexander was heard for the respondent, and the Lord Advocate of Scotland in reply. Judgment on Monday.

Lord Holland presented a bill to revive an act of the 41st of his present Majesty, enabling a creditor, who has taken his debtor in execution, to release such debtor without prejudice to the right possessed by such creditor, by virtue of such execution.

The bill was read a first time, and ordered to be printed.

Mr. Alexander and several other members of the House of Commons, brought up the Irish spirit licences bill, the Irish school commissioners bill, the stamp office regulation bill, and several private bills, which were read a first time. The Irish school commissioners bill, and the stamp office regulation bill, were ordered to be printed.

The House resolved into a committee on the Irish post roads bill, in which several amendments were made on the suggestion of Earl Spencer and the Earl of Hardwicke. The former noble lord gave up his intention of opposing the clause relative to a new road from Limeric to Galway, for which he was thanked by the Earl of Limeric.

Report on Monday.

The excise regulation bill passed through a committe, and was reported.

Lord Walsingham reported Simpson's divorce bill, which was ordered to be engrossed.

The customs fees bill was read a second time, and committed for Monday. Adjourned till Monday.

HOUSE OF COMMONS.

FRIDAY, JUNE 27.

The Forth and Clyde navigation bill was read a third time and passed.

The solicitor general brought in the bankrupt laws amendment bill, which was read a first time, ordered to be read a second time on Monday, and to be printed.

Mr. Vansittart brought in the bill for the better auditing

auditing of public accounts, which was read a first time, ordered to be read a second time on Wednesday next, and to be printed.

On the motion of Sir John Newport, the order of the day for taking into consideration the petition complaining of an undue return for the county of Wexford, on the third of July, was discharged, and ordered to stand for Thursday the 10th of July.

Mr. Alexander brought up the report of the East India shipping bill, which was agreed to, and the bill ordered to be read a third time on Monday.

The order of the day having been read, for the farther consideration of the Birmingham canal bill,

Sir John Wrottesley moved that the further consideration of the bill should be postponed till that day three months. He stated that there were two canal companies at Birmingham, who had both of them cut canals through counties abounding in coal. The first company was called the Birmingham canal company, the second the Birmingham and Worcester canal company. These canals communicated; and the great object of dispute between the two companies was, whether the coals which came from the country on the line of the latter canal, should pay the same duty on the Birmingham canal, as if they had come down upon it the whole length.

Mr. Dugdale supported the claims of the Birmingham canal.

Upon a division, the further consideration of the bill was postponed, by a majority of 57 to 33.

PHILANTHROPIC SOCIETY.

The Philanthropic Society incorporation bill was read a third time.

Mr. Tierney proposed a clause unengrossed, but being informed by the Speaker that it could not be received in that state, the debate was adjourned, till time had been given for the engrossing.

Mr. Tierney then presented it. It went to provide, that the Society should engage that the children educated at the school should never be chargeable to the parish of St. George the Martyr (in which parish the school was situated). He proposed the clause at the request of the churchwardens and overseers of that parish, who conceived that

otherwise they would become chargeable with all the children taken in that school, who should from disease or accident be unable to work.

It was answered by Mr. Holford, Mr. Perceval, and others, that a similar objection might be made against any school that was erected in a parish. They however gave credit to Mr. Tierney for his zeal in supporting the wishes of his constituents. The clause was negatived.

Dr. Laurence contended for the right of the rector to nominate, or at least to controul, the appointment of the preacher or lecturer in chapels of ease within his rectory, of which description he conceived the chapel of the Philanthropic Society to be, although annexed to a public charity: for it was not confined as a private chapel, for the mere use of the institution, but executed upon a spacious and superb scale, obviously open for a general congregation of the parishioners, and calculated to entice away the regular congregation from the parish church, with an obvious purpose of creating revenue, and of trenching upon the parochial rights of the rector. He took occasion to allude to similar chapels attached to the Asylum, Foundling Hospital, and other public charities, for similar purposes, and the attraction of fashionable and enthusiastic auditors by musical performances, and by a complete departure, on the part of the preacher, from the sober piety and decorous manner of preaching in the established church: and the adoption of a new-fashioned dramatic style of pulpit-eloquence, addressed to the fancy and imagination, rather than to the heart or understanding, and calculated more to catch the fervor of the enthusiast by high-fraught pictures of the horrors of a death-bed, or the joys or torments of a future state, than by promulgating the truth of the Gospel, to excite to that solemn and rational piety and devotion, which are so much the characteristics of the established church; and if Parliament should be induced to countenance such a system, independant of the controul of the lawful pastor of the parish, the consequence would be, that every year numbers of those chapels would start up in every part of the metropolis and its vicinity, and the parish churches be deserted by more than half their congregations, to follow those new LIGHTS. He could not therefore consent to so unlawful an infringement upon the rights of the regular

church establishment; and he concluded by moving an amendment, the object of which was, that the rector of St. George the Martyr should have the power of nominating to the appointment of chaplain to this chapel, or, at least, of a negative upon any appointment made without his consent, in order that he might be enabled to secure for the institution the appointment of a clergyman of the established church.

Mr. Holford observed, that the honourable and learned gentleman seemed to have widely mistaken, and certainly he had widely misstated, he must presume, from misinformation, the facts of this case. This chapel was not erected with a principal view to revenue, but was certainly built on such a scale, as to accommodate a number of other children, besides those of the institution, who could not find accommodation in the parish church. He felt that he should be but a feeble antagonist indeed to the honourable and learned gentleman, if he presumed to contend with him upon ecclesiastical law; but there was one thing he would not find on his books, namely, that chapels of this sort, attached to charitable institutions, and built by charitable contributions, could, by any possibility, come under the description of chapels of ease to the parish church. Such chapels were mostly, if not entirely, of very modern erection, and not very usual, until long after the law allowing chapels of ease was passed. This chapel was not built at the parish expence, nor was any part of the costs of its establishment charged upon the parish: consequently, it could not come under any description of a chapel of ease, any more than that of the Asylum, which, however, was out of the question, because it was protected by a special act of Parliament. Neither was it intended, as the honourable and learned gentleman was pleased to conjecture, to be converted into a theatre for music, or dramatic eloquence, or enthusiastic rhapsody. Those who conducted that institution were as sound protestants of the established church as any of those who opposed it, and as little likely to promote schisms or innovations in the mode of public worship. It was an institution originally set on foot about eighteen years since by the charitable contributions of humane persons, for the purpose of educating the bereft orphans of convicted felons, thrown upon the world, without protection, and of other children,

children, betrayed to early habits of criminality, but whose tender age rendered them fitter objects for the correction of a moral and religious education, than for the severities of the criminal law; and when it was recollected that this charity, although supported partly, and to a considerable extent, by charitable contributions, yet derived also from the industry of those children who were the objects of its protection, an average sum of not less than 1,200*l.* annually, he hoped it would not be considered unreasonable that the society should have the management of their own funds, and the appointment of those persons who were to be paid from those funds, so long as by the appointment of such persons they sought not to trespass upon the rights or privileges of any other persons. It was erroneous to say, that they endeavoured or wished to deprive any ecclesiastic of the controul he ought legally and reasonably to possess; and this would appear the more unquestionable, when it was told to the House, that at the head of their institution, and foremost in bringing forward this bill, was a protestant Bishop. The society did not wish to deprive the rector of St. George the Martyr of his privilege of controul over the appointment of chaplain, or of the negative to that appointment, if it should really be an improper one, and just and reasonable cause assigned. But it was to the privilege of negative, without assigning cause, they gave resistance. No means of conciliation on their parts were left untried to compromise this matter with the rector: the society had proposed to pay him an annual stipend out of their funds to any reasonable extent, in which he should say his interests could be injured by this chapel. And what was his conduct, after taking time to consider their proposal, and giving some grounds to believe he would accept it? Why, a threat to charge them with simony for making the offer. This bill had been repeatedly postponed at the instance of that gentleman, on the promise of his preparing and offering to him (Mr. Holford) two clauses, which he wished to have inserted in the bill; but the day passed by, and no such clauses were ever produced. Upon the whole, he must consider the conduct of the rector in this affair, as extremely unbecoming a protestant clergyman, whose object it should be, and whose duty it was, to promote, and not to impede the religious instruction of those children, and the success of

of a charity to which, however, he never contributed any thing, and which he took much pains to embarrass and obstruct, by keeping this chapel shut three years.

The question upon Doctor Laurence's amendment, was then put and negatived upon a division, and the bill read the third time, passed, and ordered to the Lords.

A message from the Lords, intimated their Lordships' assent to the Temple Bar building lottery bill, without amendment, and also to the Southwark and Brixton small debt recovery bills, with some amendments, to which they desired the concurrence of this House.

Mr. Dawson obtained leave to bring in, and accordingly presented a bill for better regulating the mode of accounting for the moneys assessed for making public roads in Ireland, which was read the first time, and ordered for the second reading on Monday.

BELL ROCK LIGHTHOUSE.

On the motion of the Lord Advocate of Scotland, the House went into a committee on the report of the committee in 1803, for erecting a light-house on the Bell Rock, on the east coast of Scotland.

The learned lord stated that the measure, though universally admitted to be highly advantageous to the shipping interest, and though agreed to by the House in 1803, had failed of being carried into effect, in consequence of circumstances which did not now apply. His lordship then moved that it be the opinion of the committee that a lighthouse be erected on the Bell Rock, or Cape, on the east coast of Scotland, near the entrance to the Forth and Tay.

Lord H. Petty seemed to doubt of the necessity of the measure. On an explanation from the Lord Advocate, however, he stated that what he had thrown out, he did more in conformity to the opinion of the first lord of the Admiralty, than to any opinion he himself had entertained.

Mr. Baker did not pretend to be competent to judge on the subject, but as it seemed to be intended that part of the public money should be expended on the erection, he wished the learned lord would more clearly point out the utility of the measure.

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The *Lord Advocate* referred for the utility of the measure to the report of the committee in the year 1803. He had no doubt the honourable gentleman opposite would have no objection to the measure, if the erection could be made without money. Nay, he conceived it to be a self-evident proposition, that in a mercantile country there could be no objection, if it could be done without expence, that a light should be fixed on every rock in the ocean. The report of the committee, in the present case however, shewed that here there was peculiar danger; that seldom a vessel came near it without being almost instantly dashed to pieces; and that from the circumstance of its being covered at half tide, there was hardly an instance where such an occurrence took place, but every soul perished.

Mr. Perceval expressed his surprize that the business had been so long delayed. He also thought, if, as was stated the preceding night, no measure could be extended to Scotland at this period of the session, there was no call on the House at so late a period conferring a boon on that country.

The *Lord Advocate* replied, as to what the learned gentleman last referred to, he should be able to shew, if it should afterwards come before the House, that the measure alluded to was inapplicable to Scotland. He declared that he had no particular predilection for the present measure, which he only brought forward in the discharge of his duty as representing that part of the country where the beneficial effects of the measure would be most felt. As to the subject of money for carrying on the erection, that was not now before the House. The only question was, if it would be advantageous that the erection should take place. Besides the funds from which it would naturally fall to be supported, he understood they would be entitled to a farther sum from the commissioners for northern lights.

Mr. Johnstone recollected that his honourable relation (Sir W. Pulteney) had formerly carried through this measure, and had shewn to the House that it would be highly advantageous to shipping in general, particularly to those ships trading from Hull and Scarborough.

Mr. W. Smith confirmed the statement. The cause of the former measure not succeeding, was an idea entertained of comprehending the Baltic trade among the ships which were to pay a certain per tonnage, which was objected to.

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The House would be better able to judge of the matter when the estimates came in. The resolution therefore had his concurrence.

The committee then passed resolutions declaratory of the advantages which would result from the erection of the lighthouse in question; and that there be paid for every British vessel passing in the line pointed out, being between Peterhead and Berwick-upon-Tweed, a duty of three halfpence per ton, and for every foreign vessel so passing, three-pence per ton.

The Irish public road money bill was brought up, read a first time, and ordered to be read a second time on Monday.

The report of the committee for examining Sir James Craig, relative to the Oude charge, was brought up and ordered to be printed.

Sir Arthur Wellesley moved that a copy of the minutes of the evidence of General St. Leger, respecting the Oude charge, should be laid before the House. Ordered. The paper was then presented, and ordered to be printed.

ARMY EXTRAORDINARIES AND OTHER SERVICES.

The House having resolved itself into a committee of supply,

Mr. Vansittart moved that the following supplies should be granted,

For army extraordinaries, from the 25th of December, 1804, to the 25th of December, 1805, both inclusive -	£.	272,386	13 10
For certain buildings in Palace Yard -		14,184	11 0
For defraying the expence of improvements in the two Houses of Parliament		12,600	0 0
For the new buildings in the British Museum - - - -		7,500	0 0
For defraying the expences of carrying on the buildings in the new Mint - -		10,000	0 0
For the Thames Police Office for improvements about the river - -		324	16 0
For warming and airing the repository for the public records - -		40	17 0
For publishing in the Gazette the average prices of sugars - - -		434	17 0
For charges relating to the trial of Lord Melville - - - -		4,000	0 0

He also moved for various other sums for defraying the charges on the civil list revenue, for salaries to officers for auditing public accounts, and for other services.

After a few words from Mr. Huskisson and Lord Henry Petty, these resolutions were agreed to. Report on Monday.

The Irish distillery bill was reported, and ordered to be read a third time on Tuesday.

Lord Henry Petty gave notice that on Wednesday he would submit a motion to the House relative to the state of the vaccine inoculation in the United Kingdom.

Mr. Vansittart, in the committee of ways and means, moved, that towards the supplies of the year, 4½ millions should be granted from the 14 millions due in 1805. This, after a few words from Mr. Huskisson, was agreed to. Report on Monday.

MILITIA BILL.

The militia bill was committed. In the committee

Lord Castlereagh observed that the lists ought to be made up in Scotland, as well as England, and therefore contended that in this respect the bill should extend to Scotland. He hoped also, that in consistency with the right honourable gentleman's own plan of recruiting, the ballot should be withdrawn in Scotland, as well as in England.

Mr. Windham replied, that the ballot would be of use there to keep up the volunteer establishment; but if, in a subsequent session, the training bill should be extended to Scotland, then the ballot would be withdrawn.

Mr. Yorke proposed, as an amendment, that the power of enforcing the ballot, in case of necessity, should be left with the privy council.

After some conversation between Mr. Perceval, Mr. Yorke and Mr. Bastard, Mr. Windham consented to adopt this amendment. The report was then received, and the further consideration ordered for Tuesday.

TRAINING BILL.

On the motion of Mr. Windham, the House went into a committee on the training bill.

Sir James Pulteney proposed, as an amendment, that the first 200,000 men should be trained for two years instead of one, so that they would have forty-eight days training; a plan

a plan which would be more useful than giving twenty-four days traing to double that number.

Mr. Windham resisted the amendment, because, as this would materially increase the burden, it might produce a greater degree of dissatisfaction than the advantage was worth. Perhaps the number of days for training might be increased, but that would be for future consideration.

Lord Castlereagh supported the amendment, and drew a comparison between the expence of this system and that of the volunteers. The expence of the former, he contended, would be greater without the same advantages. Since there was a provision in the bill for enabling the King to appoint officers for these trained men, he wished the right honourable gentleman had stated how he was to exercise this power. He thought it a most extraordinary thing, and one which was reserved for the present ministers alone, to ask such a power, without stating how they were to exercise it. These men would be far less efficient than the volunteers, who would be disgusted at the treatment they received.

Mr. Windham said that the noble lord was always fond of referring to the volunteers on all occasions. But this, and a great part of what he said, was quite out of place here. He was hardly excusable in following him, but as to the point of expence, he contended that that of the volunteers, taking the sums provided by private contributions, was much greater than the expence would be under this bill. Besides, there we had the advantage of both systems. It was true that under the bill of 1803 the men were to be trained forty days. But then twenty of these days were Sundays, and these were here given up. It had been communicated to him from various quarters, that training men on that day diminished the reverence of it. On that point he would leave the noble lord in the hands of the gentlemen near him (Wilberforce and Bankes). If this was the case, we were to consider the disadvantage under which the additional training was gained. He himself wished earnestly to preserve the reverence for the Sabbath. He had shewn it when he wished to suppress the growing evil of Sunday newspapers, though he did not experience the support from certain gentlemen which he might have expected. He did not think, however, that training men on Sundays would diminish their reverence for it, but in this point he had yielded to the opinions of others. As to the officers for these men, he never meant that they should be in the first in-

stance permanently and regularly officered. These the King would appoint as he saw occasion. There must be officers, for instance, in case of invasion, to conduct them to the regiments, as it was not to be supposed that they were to have directions put about their necks and sent off in that manner.

Mr. Spencer Stanhope wished to ask, whether the men, when at drill, were to be under the command of the serjeant, or of the constable who was to stand over them? He was anxious to know what the right honourable gentleman meant to do on this head, as, being a deputy lieutenant, enquiries might be directed to him on the subject.

Mr. Windham replied, that the serjeant would instruct them, and the constable would stand by *(a laugh from the opposition)*. Though gentlemen might laugh, he would ask with Bayes in the Rehearsal, 'Where was the joke?' He could not perceive any thing laughable in this. The constable was to be present, and to assist the serjeant in the performance of his duty, and this he would be better enabled to do, from long habits of legal obedience in the people.

Mr. Perceval remarked that his right honourable friend's training act had provided a captain, lieutenant, ensign, and serjeant, for every body of 120 men. Here there was some rational provision for discipline and obedience. But there was now to be a constable to take the man to prison, if he did not turn out his toes properly, or obey the signals of "eyes right," or "eyes left," with sufficient promptitude *(a laugh)*. They were to be taken from the plough, or the loom, just as they were, and only one serjeant and a constable to teach or enforce discipline.

Mr. Windham observed, that even in volunteer corps, the captain was more military in name than in reality; rather a civil than a military character; and he had little doubt that the means now proposed to enforce obedience, would be just as effectual as those which had obtained among the volunteers.

Mr. Perceval replied, that the volunteers had more of the *esprit du corps* than was likely to belong to the motley collections under the present bill, and therefore were more likely to advance in discipline.

Colonel Bastard was afraid that frequent quarrels would take place between the serjeant and the constable. Among the volunteers every thing was done by zeal and good will, but here all would be done by force and by the halbert.

Lord

Lord Henry Petty, in answer to the observation of a noble lord with regard to the want of clothing if called to act against the enemy, observed, that though in that case they could not be clothed all at once, yet all those might be clothed who were to act at one point; and, besides, this could form no objection to their being prepared in the mean time.

A good deal of other conversation ensued, and Sir J. Pulteney agreed to withdraw his motion.

Some conversation then took place on the subject of the penalties, no person seeming to be appointed in the bill for exacting or receiving them; and it was agreed that a clause should afterwards be introduced on this point.

On the clause allowing the deputy lieutenants to choose the time and place for training or exercising,

Mr. Spencer Stanhope objected, as he did not think that either deputy lieutenant, or any other person, would have a right to order any person to give up his field for that purpose, or even of bargaining for it.

Sir John Newport, and Mr. William Smith, replied that they considered that any deputy lieutenant, or person under them, might make the bargain under the powers of this act.

Mr. Wilberforce stated, that many persons whose opinions were entitled to great weight, objected to Sunday being appointed as the day of training. The actual consequence of its being at all allowed was, that drilling not only went on through time of divine service, but inspections also took place. This produced a desertion of our churches, and a filling of our ale-houses on Sundays, which, he thought, was subversive of our religion. As to the saving of money, that was a fallacious argument, for in every county the price of labour was so proportioned to the means of subsistence, that if men were to labour the seven days, they would receive no more than for working six days.

Mr. Calvert considered, that the military instruction was so sacred a duty that it might well be performed of a Sunday. In other countries it had been practised without any ill effect. It was practised in Switzerland, and yet he never heard that the Swiss were either an immoral or an irreligious nation. The fact was, that unless the training was of a Sunday, it would be so inconvenient as to be altogether impracticable.

After

After some mutual explanations between Mr. Wilberforce and Mr. Calvert,

Mr. Yorke declared, that although he had as much regard for the religion of the country as any other man, yet he considered that the training on a Sunday (provided it was not in the hours of divine service) would relieve the labouring class from a great burden. It was not only in Switzerland that this was practised, but in this country it had been the established practice in the time of Henry the Eighth, and in later times, that the people should be practised in the use of arms on that day.

Mr. Windham thought, that instead of causing irreverence and disregard to the Sabbath, it would, on the contrary, exalt and dignify the duty that they had to perform. He therefore supported the clause as it now stood.

Sir James Pulteney declared, that he had seen many volunteers exercising on a Sunday, and he always observed that degree of decency and propriety that he thought gave a great solemnity to it. As to the prejudices of the people at large, he was convinced they were not against it, and he thought it would be extremely hard that the opinions or consciences of a few should deprive the nation of so great a benefit.

A long and desultory conversation took place. Mr. Calvert, who had moved for allowing them to be trained on a Sunday, finding the sense of the House against him, withdrew his amendment, and the clause was passed in its original state.

The chairman had leave to report progress, and the committee was appointed for Monday. Adjourned at two o'clock.

HOUSE OF LORDS.

MONDAY, JUNE 30.

The judges resumed the delivery of their opinions in the case of Lucina *v.* Crawford: and after hearing several of them, Lord Eldon moved to postpone the further delivery of the opinions of the judges till Thursday.—Ordered.

The debtors' relief bill was read a second time, and committed for Friday.

AFFAIRS

AFFAIRS OF INDIA.

Lord Melville adverted to the intention he had intimated on Thursday, of asking a question this day, respecting the affairs of India. Seeing a noble lord (Minto) in his place, he wished to ask, whether there existed at present any government general of India in Bengal, and if there did, of whom it consisted?

Lord Minto said, he felt no difficulty in answering the questions of the noble viscount, to whom, as well as to every noble lord in the House, he wished to give every information in his power, whenever it could be given with propriety. He conceived that the same government general of India existed now in Bengal as there did when that event took place, which was so much deplored, the death of Marquis Cornwallis. He had no hesitation in stating that his Majesty had been advised to issue orders for vacating the commission under which the functions of the government of India were exercised. This had been done according to the terms of the act of Parliament. There was, however, a provision made in the orders sent out, that all the members of the present government should exercise their functions, until the publication of a new commission at Calcutta. There would not, therefore, be a moment's interval between the cessation of the functions of one government, and the assumption of those functions by another.

Lord Melville felt it necessary to trouble the noble lord with another question, which was, whether any intimation had been sent to Sir G. Barlow, that he only held the government until the arrival of a successor?

Lord Minto said, that intimation had been sent to Sir George Barlow of the vacation of the commission of government. The vacation of the commission of course applied to all the members of the council, but only *pro forma*, it not being the intention of government to make any change in the council. This, however, as the noble lord knew, rested with the court of directors: all he could say was, that it was not the intention of government to change any of the members of the council.

Lord Melville maintained, from what the noble lord had stated, that there was at present, virtually, no government general existing in India. From what had been stated by the noble lord, added to the dispatches in the gazette, which

which he had read within an hour of his coming to the House, he could not help feeling considerable anxiety with respect to the situation of affairs in India. His lordship gave notice of a motion respecting the government general of India for Friday, for which day the lords were ordered to be summoned.

Strangers were excluded for some time whilst the House discussed some matter of privilege.

During the exclusion a conference was had with the commons.

The third reading of the insolvent debtors bill was postponed till the next day.

Mr. Alexander and several other members of the House of Commons brought up the post-office regulation bill, the thread lace bill, the philanthropic society bill, and several private bills, which were read a first time.

Simpson's divorce bill and the excise regulation bill were read a third time and passed.

The Irish spirit licence bill and the stamp office regulation bill were read a second time, and committed for the next day.

The committee on the customs fees bill was postponed till the next day.

Lord Walsingham reported the Irish post roads bill, the amendments to which were agreed to.

Adjourned.

HOUSE OF COMMONS.

MONDAY, JUNE 30.

A new writ was ordered to be issued for the election of a member for the borough of Sligo, in the room of Owen Wynne, Esq. who had accepted of the office of escheater of Munster.

Sir Charles Price having brought up the report of the committee on the lord mayor, aldermen and common council of London's petition relative to Smithfield market, obtained leave to bring in a bill to make certain regulations respecting the same.

Mr. Spencer Smith presented a petition from the Sun fire-insurance office against the Globe insurance bill. Sir Robert Wigran presented petitions from the Westminster life insurance company, and from the British fire office, against

against the same bill. Mr. Hurst presented petitions from the Phœnix fire office, and the Pelican life insurance office, to the same effect. These were ordered to be referred to the committee on the bill.

Mr. Williams presented the 14th report of the commissioners of naval inquiry. Ordered to be printed.

Mr. Johnson, from the office of the chief secretary in Ireland, presented accounts relative to the Irish revenue. Ordered to lie on the table.

Mr. Mcheux presented papers from the India board, pursuant to orders of the House. Ordered to be printed, and to lie on the table.

Mr. Hobhouse moved the postponement of the second reading of the Nabob of Arcot's debts bill till Friday, on account of the absence of certain persons who would wish to be present on the occasion.

Mr. Francis wished to draw the attention of the House to this important subject, and desired to know whether, in case the bill should not pass this session, the commissioners would proceed in the investigation of these debts, or remain *in statu quo* till next session.

Mr. Hobhouse hoped that the bill would pass this session. But the question was a reasonable one. It was one, however, so difficult, that he could not answer it at present. But in case the bill should not pass, he should feel it his duty, before the end of the session, to inform the House in what state the commission would be.

The bill was then ordered to be read a second time on Friday.

Lord Howick said, that he was about to move for some papers, to the granting of which there could no objection. It would be proper to state to the House the reason why he asked for them. Soon after he had come into office he had been informed on good authority that in consequence of the embankments at Catwater, near Plymouth, the Sound there might in a short time become unsafe for his Majesty's ships. Having this information from respectable authority, he had thought the matter of sufficient moment to require examination. He had accordingly ordered an inquiry to be made by engineers, whose reports, in some degree, confirmed what he had heard on this point. They, however, requested time to make a more minute and accurate report, and this, by some accident, did not come to his hands till the 18th of the present month. This he

stated to account for the lateness of the period at which he submitted this affair to the House. After he should have obtained the papers, his design was to refer them to a committee, which should inquire whether any injury was likely to arise to Plymouth Sound from these embankments, or if no injury was likely to arise, whether any more works of that kind should be allowed to be carried on without authority from some competent public body, or a consent on the part of the Crown, such as was required in a grant of public money. He concluded by moving for a copy of the report of the 18th, made by Messrs. Rennie and Whitby on this subject, and an extract of the other report, with the plan of the Sound.

The motion was agreed to, the papers presented, and referred to a committee as proposed.

Sir John Newport moved for an account of the woollen goods, silk mixed with cotton, &c. &c. exported from England to India, in the years 1801-2-3. Ordered.

The report of the committee on the Scotch forfeited estates was ordered to be referred to a committee the next day.

The Earl of Ormond's butlerage bill was brought up, read a first, and ordered to be read a second time the next day.

The Irish revenue regulation bill was read a third time and passed.

The report relative to the Bell Rock light-house was ordered to be further considered the next day.

The Secretary at War seeing the gentleman in his place who had asked for some papers relative to the barns hired as barracks in the Isle of Wight, wished to know whether he meant to bring forward any motion on the subject?

Mr. Robson understood that the chancellor of the exchequer had taken the business entirely out of his hands. He had moved for the papers, and on his motion the chancellor of the exchequer had moved the previous question. He himself, however, had come down three or four days after, and moved for these very papers. If the chancellor of the exchequer meant to prosecute the affair, he would leave it to him; but if he was resolved to do nothing, then he (Mr. Robson) would certainly offer a motion to the House in the course of a week.

The Secretary at War wished that he would fix a day,

as

as he intended to move for papers which would throw further light on the subject.

Mr. Robson understood that the chancellor of the exchequer had given up the cause, and therefore would submit his motion on Friday.

The Secretary at War said, that the chancellor of the exchequer had only called for the papers at the suggestion of the honourable gentleman. He then gave notice that he would move for the other papers the next day.

A message from the lords desired a present conference with the commons in a matter that concerned the good correspondence between the two Houses.

On the motion of Lord Howick, the House agreed to the conference: managers were appointed and went out.

On their return, Lord Howick stated that the lords had communicated to them that in consequence of the examination of Lord Teignmouth before the commons, relative to a charge against Marquis Wellesley, they had taken the matter into their most serious consideration; that they had searched for precedents, but could only find one, which was that of Lord Balcarras in 1779. On the motion of Lord Howick this communication was ordered to taken into consideration on Friday next.

On the motion of Mr. R. Thornton the East India shipping bill was read a third time and passed.

Lord Howick presented certain papers ordered by the House relative to the expences incurred for subsidiary corps on the Continent in 1800-1. Ordered to lie on the table.

On the motion of Sir William Young, Lord Temple's proposed motion relative to the Oude charge was postponed from Wednesday to Friday.

Lord Morpeth postponed the India budget from the next day till the next day se'nnight.

The slave ships bill was further considered, and its provisions ordered to be in force from the 1st of August for two years. Ordered to be read a third time the next day.

The Irish poor bill and Irish road bill were read a second time, and ordered to be committed the next day.

The Irish revenue regulation bill was committed. Report the next day.

Mr. Kerr gave notice that early next session he would move for a committee to examine the acts relative to the Irish roads.

Lord Douglas moved, that the return to the order of the House of the 8th of May, for an account of the gratuities and pensions granted by the East India company since 1793, should be made forthwith. Ordered.

Mr. Paull moved, that the return to the order for the regulations of the press in India, should be made forthwith. Ordered.

The Greenwich chest and Greenwich hospital bills were brought up, read a first time, and ordered to be read a second time, and to be printed.

On the motion of Mr. Windham, the training bill was committed, when a discussion took place on every clause; the whole, however, was at length got through, the House resumed, the report was received, and ordered to be taken into farther consideration the next day.

Mr. Yorke gave notice that he should on the third reading of the bill propose a clause, enabling his Majesty, if a sufficient number of volunteers to his satisfaction should offer, to suspend the operation of the bill.

The report of the committee of supply of Friday was brought up and agreed to.

The committees of supply and ways and means were postponed till Wednesday.

Mr. Vansittart gave notice that he should the next day move for leave to bring in a bill for amending the acts for rendering more commodious the avenues leading to the Houses of Parliament.

Adjourned.

HOUSE OF LORDS.

TUESDAY, JULY 1.

The Irish post-roads bill, and the longitude bill, were read a third time and passed.

The insolvent debtors bill was also read a third time and passed, with an amendment proposed by Lord Ellenborough, the object of which was to exclude persons from the benefit of the act, who were in custody under verdicts obtained against them for any malicious injury.

The Irish spirit licence bill, and the stamp-office regulation bill, passed through committees, and were reported.

The post-office regulation bill was read a second time, and committed for the next day.

AFFAIRS

AFFAIRS OF INDIA.

The Earl of Westmoreland, in the absence of Lord Melville, moved for a copy of the warrant under his Majesty's sign manual for vacating the commission of the governor-general and council of Bengal.

Lord Minto had no objection to the motion. Ordered.

The Earl of Westmoreland moved for a copy of the correspondence which had taken place between the board of controul and the court of directors, subsequent to the issuing of his Majesty's warrant.

Lord Minto said, in point of fact no correspondence had taken place between these two departments since the issuing of his Majesty's warrant. He did not mean to say that no communications had passed between them, but only that no written correspondence had taken place.

Motion withdrawn.

The Earl of Westmoreland then moved for copies of any treaties recently concluded between the British government in India, and any of the native powers.

Lord Minto assented. Ordered.

The Earl of Westmoreland then moved for copies of any dispatches from the governor-general of Bengal, explanatory of the motives for concluding those treaties, or the circumstances on which they were founded.

Lord Minto objected that confidential communications, of the nature moved for by the noble earl, ought not to be laid before Parliament, and nothing had been stated in this case to prove the contrary.

Motion withdrawn.

The Earl of Westmoreland finally moved for copies of any dispatches from the governor-general, relating to any intended new measures of finance, in consequence of such treaties, or any reductions of expenditure.

Lord Minto said it was not usual to call for documents of this nature, relating to plans intended to be carried into execution. Probably the next dispatches from India might state the measures in contemplation to have been carried into effect, in which case the noble earl would learn the nature of those measures.

Motion withdrawn.

Mr. Shew Lefevre and several members of the House of Commons, brought up the East India shipping bill, and some private bills, which were read a first time.

Judgment

Judgment was given, on the motion of the Lord Chancellor, in the appeal, "Martin v. Macnabb," affirming the interlocutor of the court of session.

The committee on the customs-fees bill was postponed till Friday. Adjourned.

HOUSE OF COMMONS.

TUESDAY, JULY 1.

Mr. Hurst presented a petition from the Albion Life and Fire Insurance Company against the Globe Insurance incorporation bill. Referred to the committee upon the said bill, and ordered that counsel should be heard for and against the prayer of the said petition.

Sir John Sinclair moved that the House should resolve into a committee to consider the report from the expiring laws committee. The House accordingly resolved into the said committee, and it was resolved that the act of the 45th of his Majesty, for allowing coals, &c. to be carried by inland navigation to London, under certain limitations, which is about to expire, ought to be further continued. The report was ordered to be brought up the next day.

The committal of the Rock light-house bill was postponed till the next day.

The report of the committee upon the accounts of the Scotch forfeited estates was ordered to be taken into farther consideration the next day.

Mr. Calcraft brought in a bill for the better securing of his Majesty's ships and stores at Portsmouth, for erecting certain works at Gosport, and also for continuing the lines at Dover. Read a first and ordered to be read a second time the next day.

Mr. Vansittart obtained leave to bring in a bill for consolidating and rendering more effectual certain acts for improving the buildings in the vicinity of Westminster-hall and both Houses of Parliament; and also for rendering more commodious the passages thereto.

Sir C. Price brought in a bill for improving Smithfield market. Read a first and ordered to be read a second time.

The Irish butlerage compensation bill, the Irish militia services bill, the Irish postage regulation bill, the Greenwich chest fund bill, and the Greenwich hospital bill, were read a second time and committed for the next day.

The committee upon the Newfoundland fishery bill was postponed till Friday.

A message from the Lords stated their lordships' consent to the longitude bill; and also brought down the insolvent debtors bill, to which their lordships desired the concurrence of that House.

The Irish poor bill was committed. A long conversation took place in the committee between Messrs. Foster, Bagwell, Vereker, O'Hara, Parnel, and Sir John Newport, relative to the authority exercised by the judges of assize, upon the subject of presentments. But no amendment was introduced. The House resumed, and the report was ordered to be brought up the next day.

Lord Howick brought up the report of the committee appointed to consider the petitions presented from the surgeons of the navy relative to an augmentation of pay. Ordered to lie on the table.

The Secretary at War moved for the production of copies of certain letters which passed between the secretary at war, the barrack-master general, the deputy barrack-master general, and Major Davis, barrack-master of Sandown, relative to the building of barracks, and the hiring of barns, &c. in the Isle of Wight, including the letter of the secretary at war on the 15th of February last, which communicated his Majesty's order for the dismissal of Major Davis from his office as barrack-master of Sandown. Ordered.

They were accordingly presented. Ordered to lie on the table, and to be printed.

Mr. Robson thought proper to add to the papers just presented another document connected with the same subject. In calling the attention of the House to this business he could assure gentlemen that his sole motive was to prevent the improper expenditure of the public money, and he was persuaded that the right honourable secretary had no other object. With a view to that object he had to move for a paper to the production of which he hoped there would be no objection, as it would serve to afford the House much useful information. The honourable member then moved for a copy of the memorial presented by John Pritchard, late barrack-master of Sandown, to the commissioners of military inquiry, relative to certain glaring peculations in the barrack department.

The Speaker suggested to the honourable mover that the latter words of his motion were rather such as it was unusual

usual to introduce or admit in describing a paper to be submitted to that House.

Mr. Robson said, that he took the description from the title of the memorial itself.

The Secretary at War concurred in the observations of the Speaker, and suggested the insertion of "certain practices," in lieu of the words objected to.

This suggestion was adopted, and the motion, so amended, was agreed to.

Mr. Foster, in consequence of the absence of a noble lord (H. Petty), moved to postpone till the next day, the further consideration of the report upon the linen drawback bill. Agreed to.

Upon the motion of Sir John Newport the House resolved into a committee to consider of the propriety of granting a certain bounty upon the exportation of oil of vitriol from Great Britain. The right honourable baronet submitted a motion, that 5*s*. 6*d*. should be allowed upon the exportation to foreign parts of every hundredweight of vitriol made in Great Britain.

Mr. Foster conceived that this bounty would operate to the prejudice of Ireland, where so much of the article to which it related was used, particularly in bleaching. He thought that at least the proposition should be postponed until the reasons for introducing it should be more fully explained.

Upon the motion of Sir John Newport the chairman was directed to report progress and ask leave to sit again the next day.

The bankrupt law amendment bill was read a second time, and ordered to be committed on Friday.

Upon the motion of Sir John Newport, that the Irish quit rents sale amendment bill should be read a second time,

Mr. J. Fitzgerald opposed the motion, on the ground that the bill proposed to dispose of, for ever, a large proportion of the hereditary revenue of the Crown. This bill, the right honourable gentleman observed, passed the Irish Parliament, in 1798, and was meant to produce a certain sum for the supplies of that year, but it produced nothing; and it was rather odd to have it proposed now, when the supplies of the year were provided for. Such a measure could not be acceded to, without, in his opinion, doing great injustice to his Majesty's successors; and he begged the

the House to consider that the practice had never been heard of in England, of disposing of the hereditary revenues of the Crown, without allowing an hereditary compensation, which was not the case in this instance.

Sir John Newport was surprised at the opposition made to this bill, which was introduced solely to amend a verbal inaccuracy in the Irish bill passed on this subject in the year 1798. The right honourable baronet denied that this bill was meant for an immediate supply to the finances of Ireland; for, from its very nature, its produce must be progressive. No minister could calculate upon the sale of a revenue of 60 or 70,000*l.* within one year. This revenue was, it must be recollected, commuted for an adequate increase in the Irish civil list; and gentlemen must be aware that those great risks produced more arrears and insolvency among collectors than any other branch of the public revenue.

Mr. Foster concurred in the opinion of his hon. friend (Mr. Fitzgerald), and maintained that, as the sum proposed to be raised by this means was one million, the object could be attained on cheaper terms, as the late loan sufficiently proved. He recommended the postponement of the proposition till next session.

The further consideration of the bill was agreed to be put off till Monday.

The report of the Irish revenue regulation bill was brought up.

After a short conversation between Sir John Newport and Mr. Foster, it was agreed to, and the bill ordered to be read a third time on Friday.

The report of the general training bill was ordered to be taken into further consideration.

Mr. Windham stated, that he had some new clauses to propose, and he would then move to put off any farther proceeding upon this measure until Thursday.

Mr. Canning said, that he should not oppose the right honourable gentleman's clauses, for he did not think it at all necessary, as the bill appeared to him to be such as no amendment could improve, and therefore it was his intention to take the sense of the House respecting its principle, upon the third reading.

Mr. Windham's clauses were agreed to; and, among others, one allowing a bounty of ten shillings to such men as should volunteer under this bill. Also one authorising

his Majesty to limit the extent of the ballot, if he should think it expedient. The further consideration of the bill was fixed for Thursday, and it was ordered to be printed as amended.

The report upon the militia ballot regulation bill was further considered; and, after a few words from Sir William Elford, it was agreed to. The bill was ordered to be read a third time the next day.

The Dublin St. George's Church bill was read a third time and passed.

The other orders of the day were disposed of, and the House adjourned.

HOUSE OF LORDS.

WEDNESDAY, JULY 2.

In an appeal from Scotland, Rae *v.* Newall, Mr. Alexander and Mr. Horner were heard for the appellant, the Lord Advocate of Scotland and Mr. Adam for the respondent, and Mr. Alexander in reply. Judgment was then given on the motion of the Lord Chancellor, affirming the decree of the court of session, with 50*l.* costs.

Lord Minto rose to observe, that in stating the preceding day, that no written correspondence had taken place between the board of controul and the court of directors since the issuing of his Majesty's warrant for vacating the commission of the governor-general and council of Bengal, he conceived, from recollection, that he was correct. He now found, however, that since that event some correspondence had passed between those boards; but to the production of which he should object, and should feel himself under the necessity of opposing any motion for its production, unless some very special grounds were stated.

The Earl of Westmoreland (in the absence of Lord Melville) thanked the noble lord for his information, and stated that it was the wish of the noble lord (Melville) in order to gain time for procuring further information, to postpone the motion of which he had given notice, from Friday till Tuesday next.

Lord Minto wished to know the nature of the motion. He understood from the noble viscount (Melville), whom he had seen that morning, that he intended to move for the papers which were refused the preceding day.

The

The Earl of Westmoreland answered in the affirmative.

The order for summoning the Lords for Friday was discharged, and renewed for Tuesday.

Lord Grenville presented a message from his Majesty, relative to making further provision for the younger branches of the royal family, similar to that brought down to the House of Commons.

His lordship moved to take the message into consideration the next day. Ordered.

The Irish spirit licence bill, and the stamp-office regulation bill were read a third time and passed.

The East India shipping bill, and the thread-lace bill, were read a second time and committed for the next day.

The post-office regulation bill passed through a committee, and was reported. Adjourned.

HOUSE OF COMMONS.

WEDNESDAY, JULY 2.

The insolvent debtors bill was read a first time and ordered to be read a second time on Monday.

The bill for rendering more commodious the entrance to the two Houses of Parliament was read a first time, and ordered to be read a second time the next day.

The report of the committee on the expiring laws was brought up, and a bill ordered to be brought in, conformable to a resolution therein agreed to, for regulating the carriage of coals by inland navigation to London.

A person from the customs presented an account of the average prices of corn in the several districts of England and Wales.

On the motion of Mr. W. Smith the slave ships regulation bill was read a third time and passed.

The land-tax commissioners' name bill went through a committee and was ordered to be reported the next day.

The Irish distillery bill was read a third time and passed.

In a committee on the postage acts, the resolution allowing non-commissioned officers and privates of the navy, army, artillery, militia, and fencible corps, to send and receive letters at a lower rate of postage, was repealed, and a new clause was introduced, granting to all such persons the privilege of receiving and sending single letters on their own private concerns only, for one penny each, under certain

regulations. The report was ordered to be received the next day.

The Irish prizage and butlerage bill was committed, and ordered to be reported the next day.

The report of the committee on the Scotch distillery bill was taken into further consideration, agreed to, and the bill ordered to be read a third time on Friday.

The Irish poors bill was reported, and ordered to be read a third time the next day.

In a committee of ways and means, it was voted, that, towards raising the supplies to be granted to his Majesty, a sum be raised by one or more lotteries, in all, of 100,000 tickets, at not less than 10*l.* for each ticket to be drawn a prize. Report the next day.

The Irish roads amendment bill was read a second time, and ordered to be committed the next day.

In a committee it was resolved, that a bounty of 5*s.* 6*d.* be granted on the exportation of every hundredweight of the oil of vitriol made in Great Britain. Ordered to be reported the next day.

The ordnance messuage bill was read a second time, and ordered to be committed the next day.

On the motion of Lord Howick, the committees on the Greenwich chest and hospital bills were postponed till the next day.

The master of the Rolls gave notice that he should on Friday move for leave to bring in a bill for granting additional salaries to the masters in chancery, to the accountant-general, and to the clerks in the office.

In the committee of supply, it was ordered, that the sum of 1,000,000*l.* be granted to his Majesty, to be paid to the East India Company, for the purpose of defraying the expences incurred by them in the public service:

Also, that 3,000,000*l.* be granted for the extraordinary services of the army in Great Britain, for the year 1806:

That 600,000*l.* be granted for the same service in Ireland;

And, That 55,527*l.* 18*s.* 8*d.* be granted to the commissioners for docks, ships, &c. at Chatham, for the purposes of the act. Report the next day.

Mr. Foster moved that the report on the linen draw-back bill be taken into further consideration. But after a few words from Mr. Stewart, as to an alteration which he proposed to move for the commencement of the operation of the bill; and a declaration

a declaration by the Speaker that such alteration could only take place in a committee, while, at the same time, the bill could not be recommitted after it had been engrossed, the farther consideration was, on Mr. Foster's motion, postponed till the next day.

On the motion of Sir John Sinclair, the House then went into a committee on the Scotch forfeited estates accounts, when, after considering the report of the former committee, it was resolved,

That the sum of 964*l.* out of the arrears of rents of the Perth estate, of 1090*l.* out of the arrears of the Lovat estate, and of 12,010*l.* out of the unexhausted balance and surplus of the rents of the different forfeited estates in Scotland, be applied to the purposes of taking down the old and erecting a new exchequer chamber in Edinburgh.

That 7500*l.* out of the same unexhausted balances be applied towards the erection of a harbour in Wick in Caithness.

That 800*l.* per annum for ten years be granted out of the same fund to the Highland Society of Scotland, for the purpose of encouraging agriculture in that part of the country, the society becoming bound to pay the annuities to the surviving officers of the board of forfeited estates during the said period.

That the sum of 2000*l.* be granted towards the erection of a lunatic asylum in Edinburgh.

And that the residue of said unexhausted balance or surplus be vested in the commissioners for roads and bridges in Scotland, for the purpose of promoting canals, iron railways, harbours, roads, and bridges, in that country. Report the next day.

A message was received from the Lords, stating, that their lordships had agreed to the stamp-office regulation bill, and several private bills.

MESSAGE FROM HIS MAJESTY.

Lord Henry Petty brought up a message from his Majesty, stating, that his Majesty having, by a message of the 8th April, 1778, recommended to the consideration of the House the situation of the younger branches of the royal family, the House had in consequence passed an act, granting to them certain allowances out of the aggregate fund. This, however, had proved not an effectual mode of meeting the intention of Parliament, which, his Majesty

Majesty suggested, would be more completely answered, by ordering the allowances to be paid out of the consolidated fund. His Majesty, however, could not, on the present occasion, forbear from calling to the attention of the House, the great change in the value of money, which had since taken place, and from stating his expectation that the House would make such additions to said allowances as the circumstances of the case might seem to warrant.

On the motion of Lord Henry Petty, the message was referred to the committee of supply.

AUDITORS BILL.

Lord H. Petty having moved the second reading of the auditors bill,

Mr. T. Jones asked the noble lord for an explanation whether the public opinion which prevailed, which he was convinced amounted to this, that there were 450 millions of the public money unaccounted for, was to be supposed well founded?

Lord H. Petty could not conceive that any man, after the explanations already made, could entertain any doubt on this subject. The amount specified by the honourable gentleman was that of the issues of the public money made, and which might be said to be unaccounted for, the accounts of its disbursement not having passed through the proper audit.

Mr. Rose stated, that he did not expect the second reading to have been pressed that night, the bill having only come into the hands of the members within the last two or three hours.

Lord H. Petty said he had no wish to press the bill, but thought the debate on the principle might as well take place on the question for the Speaker's leaving the chair.

Mr. Rose assented to this. He had, however, serious objections to the principle of the bill, which he thought calculated to raise the surmises to which an honourable gentleman (Mr. Jones) had just alluded. He maintained that nine-tenths of the sums mentioned by the noble lord as unaudited, had actually been unaudited before they came to be considered by the commissioners of accounts, by whom it had formerly been resolved, that it was an unnecessary waste of public money to audit the accounts of the navy, army, bank, ordnance, customs, &c. which

were actually audited, and effectually audited, previous to their coming before them. If these were laid out of the computation he contended that not ten millions would remain of accounts unaudited, and if the noble lord at the head of the treasury board, or the noble lord opposite, had been aware of this circumstance, he was convinced the House would never have been troubled with the present bill.

The Attorney General did not believe that the public were under any mistake or misconception whatever upon the subject, although great pains appeared to have been taken to represent to the public that his noble friend had stated what he certainly never did state. He believed both the public and the House of Commons were fully impressed with the necessity of adopting some mode by which the public accounts could be speedily audited. When every paymaster knew that in the common course of business his accounts would not be audited for 20, 30, or even 40 years, such a temptation was held out to him as no individual ought to be exposed to. If there were no other reason, he thought that would be sufficient to prove the necessity of the measure.

Mr. Huskisson considered the examination before the auditors as merely a matter of form. They were in the situation of bankers, and had only to see that the receipts corresponded with the payments which had been made.

Mr. Secretary Windham thought that if this examination was merely *pro forma*, there was no occasion for an arrear of 30 or 40 years to have accumulated. If, as the honourable gentleman seemed to represent it, all the public accounts had been examined in detail, the mere formal business of passing the accounts would not then be a thing of so much difficulty.

After some further conversation the bill was read a second time, and ordered to be committed on Tuesday.

Mr. Sullivan gave notice, that if his noble friend (Lord Temple), should be longer prevented by indisposition from attending the House, he would take up on Friday the motion of which he had given notice.

Mr. Paull also gave notice that he should on Friday bring forward a supplementary charge against Marquis Wellesley, relative to the business of Oude.

The militia ballot bill was ordered to be read a third time the next day.

ASSESSED

ASSESSED TAXES ALLOWANCE BILL.

On the question for the further consideration of the report of this bill,

Mr. Huskisson wished the noble lord would state more explicitly than he had hitherto done, the principle of it. If the ground were merely the pressure of the property tax, which was of a temporary nature, he did not think the proper remedy was to reduce the permanent taxes. He considered that this was an encroachment on the consolidated fund, which lessened the security of the public creditors; and besides, as the surplus of the consolidated fund was the criterion for judging of the general prosperity of the country, he thought it dangerous, in that point of view, to diminish the produce of the permanent taxes, by way of remedying a temporary pressure.

Lord Henry Petty replied that when the property tax was under consideration, he had resisted the suggestions which had been made of granting exemptions in certain cases, because he thought the principle of exemption was bad, and that the tax ought to be equally levied on property of every description. It was not merely on account of the pressure of the property tax, but it was on account of the general pressure of taxation that he conceived the proposed allowances necessary. If the restoration of peace should remove the temporary pressure, he should be glad to recur to the system of uniformity of taxation. He thought that neither the House nor the public could be alarmed at the decrease it would occasion in the permanent taxes, when they knew the reason of it. If in this respect there was a deficiency, in some other points the permanent taxes would exceed the estimates.

Mr. Huskisson still objected to the diverting of any part of the permanent taxes, for the purpose of relief from the pressure of the temporary taxes. He concluded by moving a clause, by which it was provided that a sum equal to the amount of the exemption should be paid into the consolidated fund out of the property tax.

Lord Henry Petty agreed to this amendment, and the bill was ordered to be read a third time the next day,

The report of the Bell Rock light house committee, was considered, and a bill ordered pursuant to the resolutions.

VACCINE

VACCINE INOCULATION.

Lord H. Petty rose in order, pursuant to notice which he had formerly given, to call the attention of the House to the subject of the vaccine inoculation. Though this was no political subject, yet it was one so important to the health and to the very existence of multitudes of the human species, that it was as well worthy the attention of the legislature, as it certainly promised to eradicate that horrid disorder called the small pox. He would not enter at present into any minute detail on this discovery, as it had on a former occasion been brought before the House by his predecessor. This interesting discovery had been the result of the labours of one eminent physician, who had been for 30 years solely occupied in bringing it to maturity. He began so early as the year 1777, and by a slow gradual progress brought it to what it was now. In 1788 he thought of extending it by inoculation, and hoped by this means the total extinction of the small pox. In 1798, after its beneficial effects had been in some measure ascertained, it was submitted to the public, and began to be generally diffused. In that year it had been diffused in England; in 1799 it had been adopted in America, not only among the white inhabitants but also among the Indians, with all the success that its greatest admirers could hope for. In 1801 it had been adopted on the Continent. By the exertions of his Royal Highness the Commander in Chief it had been diffused over the coast of the Mediterranean. It had spread also in Russia and in Prussia. But what he wished particularly to call the attention of the House to, as it was the circumstance that made the strongest impression on his mind, was, the success which it had met with in the Austrian dominions. He begged leave to mention one fact. In the year preceding the introduction of the vaccine inoculation, the deaths at Vienna, by the small pox, had been 835. In 1802, this discovery having been previously introduced, the number was reduced to 61; in 1803 to 27; and in 1804 to two persons: so that the annual saving by means of this discovery, in that city, was 833 persons. Yet after this it was melancholy to think, that when the progress was so rapid on the Continent of Europe, and even in China, the motion in this country should rather be retrograde. This had been owing to some objections that had been made to the practice; but

even these very objections furnished a strong argument for the proposition which he was about to submit to the House. But these objections had certainly prevailed in retarding the progress of the discovery in this country. In London, in 1802, the deaths by the small pox had amounted to 1,811. In 1804, they had been reduced to 622. But, in consequence of the prejudices against the vaccine inoculation, they had in the last year arisen to 1,685; so that they were fast approaching to their original amount. Under these circumstances he had been induced to bring the subject before the legislature; not with a view of proposing any compulsory measure, for he was aware how improper it would be to propose any measure of compulsion in a case where the persons most nearly concerned must be supposed to be the most competent judges where health and happiness was concerned. Yet it was the duty of the legislature to endeavour to enlighten the minds of the people, and to give to an useful discovery all the weight which their approbation could confer upon it; and he hoped that the House would strongly feel the importance of this duty. His object was, that the royal college of physicians should examine into the case, state the condition of the vaccine inoculation in this country, enquire into the causes that retarded its progress, and make a report accordingly. He would propose this with a view to have the report before the House early the next session, when it would be referred to a committee, in order that the discovery might have that increased action, which, if the report should be favourable, must follow such an enquiry. And, if the result should be the corroboration of the opinion, as to the great benefits which arose from this discovery, if there was any truth in it, and if the principle was good, notwithstanding the objections which might turn out to be much exaggerated, then it would be for the House to consider whether any reward should be given to Dr. Jenner equal to the important nature of the discovery, consistent with the glory of the British name, which had been thus augmented and extended, and worthy of the dignity and liberality of that House. This would be a subject for after consideration, but certainly when such a valuable discovery had been made among us, we ought not to reject it, but to be the first to adopt it, and make it as extensively useful as possible. He concluded by moving that an humble address be presented to his Majesty, requesting that his Majesty

Majesty would direct his royal college of physicians to enquire into the state of the vaccine inoculation in this country, and into the causes that retarded its progress, and report their opinions, and the evidence on which they were founded, and to order that this report should be laid before this House.

Mr. Matthews rose to second the motion. He had at first some doubts as to the usefulness of the discovery, and had attentively watched its progress, and the result was, that he was fully convinced of its great value. The small-pox inoculation, he stated, was liable to great objections. Death in many instances ensued: though beneficial to the individuals, it was a magazine of contagion, and it had, besides, the effect of stirring up another disease in the human frame, which was the scrophula. The cow-pox inoculation was not liable to these objections, and he was of opinion that in the cases in which it had failed, it had not been fairly tried. He had no doubt that posterity would enrol the name of Jenner among those

> Inventas qui vitam excoluere per artes,
> Quique sui memores alios fecere merendo.

Mr. Wilberforce expresed his satisfaction at the subject having been brought forward by the noble lord. He was not surprised that the people of this country had been more slow in allowing the benefits of this discovery, as in a free country, every one was more inclined to judge for himself, and to adhere with stubbornness to his opinion, even when erroneous. The causes of the slow progress of vaccine inoculation here, he thought, rather arose from improper matter having been, in some cases, used, and from the ignorance of many of the persons who inoculated, and who were not able to distinguish the true from the false species, than from the efforts which had been made to discredit it in some publications, which, as far as he had seen, had been written in such a tone as to render them totally unworthy attention. He thought, however, that a committee of that House, and of the House of Lords, would have answered better than a report of the College of Physicians: for he did not hope that much good would be derived from them; as almost every medical man of any eminence in London had already certified in favour of the vaccination. He differed with the noble lord in another respect, as he conceived that there might fairly be some com-

pulsion used on the part of the legislature. Certainly it would be unjust to compel persons to be vaccinated, but it would be by no means unjust to compel persons, who chose to be inoculated with the small-pox, to take such precautions as should be judged necessary to prevent the spreading of the infection to others. Although it might not be fair to compel persons to take precautions for their individual security, it was perfectly fair, by legislative compulsion, to prevent them from injuring society by spreading infectious disorders. In the case of the plague, and other infectious disorders, very rigorous measures are taken by all governments to prevent the spreading of the infection, and he could not see why the same should not, in a lesser degree, be applied to the small-pox. At present persons not only inoculated their children for the small-pox, but sent them, after they were inoculated, among other children who were not infected, and in this manner spread contagion over a whole neighbourhood. He conceived it a duty that the government owed to society, to protect the people from this, as well as every other species of contagion or pestilence, as far as wise regulations could do it. The object of his making these observations was, that he hoped gentlemen would turn the subject in their minds before the next session, and consider whether it would not be perfectly just and right that there should be some positive interference of the legislature upon that subject.

Mr. Windham expressed his satisfaction to find such a general uniformity of sentiment as to the measure proposed by his noble friend. The only point of difference lay in the mode which an honourable member had thought it better to pursue. He had suggested, that the enquiries of a committee of Parliament were better calculated to produce an impression on the public mind. But upon a subject of a professional nature, it appeared to him, that a committee of the House were much less competent to decide than a body of physicians. This was a distinction founded on evident principles; and for the same reasons it was to be supposed, that the authority of medical men would be much more generally recognized. When, however, the report of the college was made, the authority of Parliament would be employed to give additional weight and solemnity to their decision. It was the evidence of medical men which

which gave strength to the report of a former committee; and their enquiries would afford the best chance of overcoming error, and of guiding the public opinion, on a matter of which they were peculiarly competent to judge. His honourable friend had recommended a certain degree of compulsion and restraint, in order to prevent the spread of the contagion. But to such measures he trusted the House would not recur, except in cases of great necessity. Such a degree of restraint was still more desirable before the practice of inoculation was introduced, and yet it had not been resorted to. He must confess, however, that no man who was in the habit of walking in the streets of London, could help being scandalized at the frequent exposure of children, even in the midst of crowds, covered with the small-pox, and capable of diffusing the contagion all around. Still the House should be slow to resort to any modes of compulsion; and he trusted that the measure now before the House, would ultimately remove the necessity of having recourse to compulsion and restraint.

Mr. Wilberforce explained, and observed, that he had only thought it worthy of consideration, whether modes of regulation, not harsh in themselves, might be adopted for preventing the spread of infection.

Mr. Bankes, considering the late period of the session, approved of the mode which had been proposed by the noble lord, though he thought that an investigation by a committee of the House would prove the most satisfactory. But he now understood, that it was proposed to combine the two together, and that the opinion of the College of Physicians would be followed up by the resolutions of a committee of the House. He conceived, however, that if it was merely the examination of a fact whether the vaccine inoculation would afford a protection from the small-pox or not, a committee of the House were fully competent to decide upon it. It was a question of fact, not of science, and must be decided by the evidence that would come before them. But as the present plan seemed to combine the advantages of both modes of enquiry, and as the report of the college was to receive the ultimate sanction of Parliament, the present measure should meet with his hearty concurrence. The reason why the vaccine inoculation had failed in some instances in this country seemed to be, that it was not confined, as in other countries, to scientific persons.

persons. The whole process had here been so completely described, and made so plain, that it had been taken up indiscriminately, and hence a spurious inoculation might in some cases have taken place, which had excited some prejudices in the public mind against the practice. He wished that another learned body, the College of Surgeons, should also take a part in the enquiry. The small-pox was a disease which had been very much in their hands, and therefore they were able to give very important information on the subject. The vaccine inoculation, if really effectual, would ultimately find its way in spite of the opposition and prejudices which had been excited against it; there was a good sense in the people of England that would not long permit them to oppose the truth, and in that case he conceived that the reward bestowed on the man who had made the discovery, would not be found a remuneration sufficiently ample.

Mr. William Smith concurred with his honourable friend in thinking, that the College of Surgeons should be joined to that of the Physicians in the present enquiry; and ascribed the prejudices which had arisen against the practice to the ignorance and inattention of those who had communicated the inoculation. He expressed his satisfaction, that the subject had been brought forward by a noble lord of high official and private character, and conceived that the sentiments delivered on the occasion would tend to remove those prejudices which were rather founded on authority than observation, and which were, therefore, more likely to be removed by the weight of authority, than by reasoning.

Mr. *Paull* begged leave to state a fact to the House, with regard to the effects of vaccine inoculation in India. At Lucknow the annual average of deaths from the small pox had been 670; but in the last year from the general practice of vaccine inoculation, not more than 75 had died of that disorder; and there the medical practitioners were two centuries behind those of this country. He also suggested, as prejudices were very strong against the practice, in the North of Scotland, that the Edinburgh College of Physicians should be applied to, as being more likely to remove prejudices in that part of the country.

Lord H. Petty expressed his high satisfaction at the general

general concurrence of the House in the sentiments which he had expressed. It was undoubtedly his wish, as had been stated by an honourable friend, that the present measure should be ultimately followed up, by submitting the whole to a committee of Parliament. But he could not see that the question came merely under the idea of a fact which could as well be decided by the House as by medical men. The committee, for instance, could not investigate a certain criterion with regard to the matter that is employed in diffusing the vaccine inoculation, by which it might be clearly distinguished from matter of a spurious kind. As there was reason to believe, that the introduction of spurious matter had been the great cause of those partial failures which had excited prejudices against the practice itself, an investigation of this kind became of material importance. Another enquiry for which professional men were much more competent, would also be made into the reality of those reports which had ascribed the generating of other disorders to the vaccine matter. It had been asserted, for instance, to have produced a scorbutic tendency; and surely an enquiry into the truth of this assertion, could only be properly made by medical practitioners. He conceived also, that one centre of enquiry would be fully sufficient, and probably more effectual than if several bodies of professional men were combined for the purpose. But he had no doubt that the College of Surgeons, as well as private individuals, would correspond with the learned body to whom the enquiry would be referred, and communicate such information as might render their report more complete and satisfactory. On the nature of that report, when communicated, every ulterior proceeding of the House would depend.

The address was then agreed to, *nemine contradicente.*

The committee on the Oude charge was postponed till Friday next.

On the motion of Lord H. Petty, the third reading of the West India trade bill was postponed till Friday.

Adjourned.

HOUSE

HOUSE OF LORDS.

THURSDAY, JULY 3.

The royal assent was given by commission to the additional assessed taxes bill, the Tortola free port bill, the Irish spirit licence bill, the Irish mine bill, the excise regulation bill, the stamp-office regulation bill, the Gibraltar and Malta postage bill, the Prussian yarn bill, the Duke of Grafton's agreement bill, the Temple-bar and Snow-hill lottery bill, and several private bills.

The commissioners were the Archbishop of Canterbury, the Lord Chancellor, and Lord Walsingham.

The judges resumed the delivery of their opinions in the case of Lucina v. Crawford.

All the judges having delivered their opinions,

The Lord Chancellor moved to postpone the further consideration of the cause till Wednesday next. Ordered.

Lord Grenville presented two messages from his Majesty, similar to those brought into the House of Commons: one being the usual message previous to a vote of credit, and the other relating to continuing the annuity of 1,000*l.* per annum granted to the late Lord Rodney to the present lord.

His Majesty's messages were, on the motion of Lord Grenville, ordered to be taken into consideration the next day.

ROYAL FAMILY.

Lord Grenville moved the order of the day for taking into consideration his Majesty's message. His lordship observed that, on the first part of the message, he could not conceive that any doubt could possibly exist as to the propriety of rectifying an oversight which had occurred respecting the provisions made in the year 1778 for the younger branches of his Majesty's illustrious house, and which had not been discovered until after the death of his Majesty's brother, the late Duke of Gloucester, when it being, of course, wished to continue the annuity enjoyed by that illustrious person to the present duke, it was found that this could not be done in consequence of an oversight in not properly transferring the provisions made for the younger branches of the royal family from the aggregate to the consolidated fund. There could not, therefore, he conceived, be the least objection to making provision for carrying into effect

effect now, what was evidently the intention of his Majesty and Parliament at the time. With respect to the second part of the message, relative to the proposed increase of the allowances to the younger branches of his Majesty's family, he also conceived there could be no doubt as to its propriety. It was certainly necessary, in our present circumstances, that every one should make great sacrifices to maintain the dignity, preserve the honour, and secure the interests of the country, and to uphold the monarchy and the constitution. To these sacrifices every one convinced of their necessity cheerfully contributed. To keep up the splendour of the throne, and support the dignity of the illustrious branches of his Majesty's royal house, was a part of the constitution, and an object to which every one who venerated that constitution would readily contribute. There must be, he was certain, a full conviction, as the fact was, that his Majesty would not have made this appeal to his Parliament had there not been a real necessity for making that increase at which his Majesty's message pointed. No increase had taken place in the provision made for the younger branches of the royal family since the year 1778, a period of nearly thirty years; and when it was considered how much circumstances had altered in the course of that period, and how greatly the price of every article necessary to the establishment of a household had increased; when it was considered also, that the illustrious persons for whom an increased allowance was now asked, were, from their age and period of life, compelled to an increase of expenditure, he was convinced there would remain no doubt as to the propriety, the expediency, and the necessity of concurring in the proposed increase. The sums proposed to be granted would come more properly before the House when a bill for that purpose came up from the House of Commons. The noble lord concluded with moving an address, concurring in the objects of his Majesty's message. Carried *nem. dis.*

The address was ordered to be presented to his Majesty by the lords with white staves.

The Earl of Suffolk addressed the House on the subject of vaccine inoculation, to which he professed himself a warm friend. His lordship stated, from a conversation he had had with Admiral Massaredo, the popularity of that mode of inoculation in Spain, where it was considered as

one of the greatest benefits that could have been conferred upon mankind.

The post-office regulation bill was read a third time and passed.

The thread lace bill and the East India shipping bill passed through committees, and were reported. Adjourned.

HOUSE OF COMMONS.

THURSDAY, JULY 3.

The deputy usher of the black rod summoned the House to the House of Peers. The Speaker, on his return, declared that the royal assent had been given to the West India auditors' bill, the Tortola free port bill, and others.

The Speaker observed, that he had to acquaint the House that the person on whose behalf the petition complaining of an undue election return for Wexford had been presented to the House, had not entered into a recognizance pursuant to the statute. In consequence of this the order for taking this petition into consideration was discharged.

Mr. Robson withdrew his motion for the next day respecting the barrack abuses in the Isle of Wight, as the papers moved for by the Secretary at War were not yet in the members' hands. He promised to bring forward the motion on an early day next week.

The land tax commissioners bill was reported, and ordered to be read a third time the next day.

Mr. Vansittart presented an account of the money advanced for various services out of the civil list revenue for the last four years, &c. Ordered to lie on the table.

The report of the committee on the oil of vitriol act was agreed to, and a bill ordered accordingly.

The Irish road accounts were committed. Report the next day.

The Westminster-hall avenue bill was read a second time, and ordered to be committed the next day.

The report of the committee on the post-office acts, as far as related to the letters of non-commissioned officers and privates of the army and navy, was brought up. The resolutions were agreed to, and provision ordered to be made accordingly.

The report of the committee on the Scotch forfeited estates, the report of the committee of supply respecting the 1,000,000*l.*

1,000,000*l.* to the East India Company, &c. and the report of the committee of ways and means respecting a lottery, were brought up, the resolutions agreed to, and bills ordered.

The assessed taxes allowance bill was read a third time and passed. The Irish poor bill was also read a third time and passed.

The Earl of Ormond's butlerage bill was reported, and ordered to be read a third time the next day.

Mr. Grant, from the commissioners of military enquiry, presented a copy of the memorial of Mr. John Pritchard, laid before them on the 3d of January, 1806. Ordered to lie on the table.

Mr. Vansittart moved for leave to bring in a bill to enable the commissioners of the treasury to issue exchequer bills on the credit of the aids of the year. Leave given.

Mr. Vansittart also moved for leave to bring in a bill to amend the quarantine laws, as far as regarded Great Britain. After a few words from Sir John Newport, respecting the propriety of assimilating at some subsequent period, the Irish to the British quarantine laws, leave was given.

The ordnance lands bill was committed. Report the next day.

The Greenwich hospital bill, and Greenwich chest bill, were committed. Report the next day.

Mr. Tyrwhitt stated, that some private interests might be affected by the stoppage of the embankments at Catwater, and in such a case he wished to know from the noble lord below (Howick), whether compensation should be made.

Sir William Elford also urged the necessity of attention to this circumstance.

Lord Howick agreed that when private interests were affected by any plan for public accommodation, the parties ought to be indemnified; but the proper course of proceeding would be by a petition to Parliament.

Mr. Meheux, from the India board, presented an account of the net revenue of the ceded provinces of Oude. Ordered to lie on the table, and to be printed.

Mr. Windham moved the re-committal of the training bill.

Mr. Ryder asked whether this was with a view to prevent its being debated on the report, as well as on the third reading? if it was, he would now oppose it. But if it was in-

tended to recommit it, with a view to correct some errors, he would not now oppose it.

Mr. Windham replied, that it was merely with a view to make some amendments, after which it would be open to be debated on the report as before. The bill was then recommitted, some amendments were made, and the House resumed. [Here the farther proceedings upon it were postponed for a few minutes, apparently because some of the principal members of opposition had not arrived.]

The report of the linen drawback bill was considered, after which it was ordered to be read a third time the next day.

MESSAGES FROM THE KING.

Lord H. Petty brought down a message from the King, acquainting the House,

"That application had been made to his Majesty, that "the pension of 1000*l.* per annum on the Irish establish- "ment, granted to the late Lord Rodney, in consideration "of his eminent services, should be continued to his grand- "son, the present Lord Rodney. His Majesty being fa- "vourably disposed to the said request, recommended it to "his faithful Commons to take such measures as might "render that disposition effectual."

The message was ordered to be referred to the committee of supply the next day.

Lord H. Petty then brought down another message, the purport of which was,

"That his Majesty, relying on the zeal and affection of "his faithful Commons, and considering it important to "be able to provide for any emergency that may arise, re- "commends it to his faithful Commons to enable him to "provide against all the attempts of the enemy, and to act "in such a way as the exigencies of affairs may require."

This message was also referred to the committee of supply.

On the motion of Lord H. Petty, leave was given to bring in a bill for amending an act of the 42d of the King, for consolidating the land tax acts, and for exonerating small livings and charitable institutions from the land tax.

MILITIA BALLOT BILL.

Mr. Windham then moved the order of the day for the third reading of the militia ballot bill.

Sir

Sir William Elford rose, to make a few observations on that part of the bill which suspended the ballot for the militia. The ballot was already suspended as to those regiments that were above their establishment; but the suspension ought not, in his opinion, to be extended to those which were below their establishment. This diminution of their numbers had been the effect of volunteering into the line. As to the plan of substituting a bounty, instead of the ballot, he thought it subversive of the principles on which the militia service was founded, namely, the prerogative of the King to call out a part of the people in defence of the country. From this it followed, of course, that the service was in its nature compulsory, and that a ballot must be employed to prevent arbitrary restrictions to particular classes. Ballot had accordingly been hitherto successfully employed for this purpose. He then contended that compulsory service in the navy would be rendered more irksome and invidious, by doing away the ballot for the militia. As to the system of ballot bearing unequally on the rich and the poor, he maintained that this was precisely on the same footing with the other advantages which were derived from wealth. The rich, in this as in other cases, procured others to do that for them, which the poor were compelled to do for themselves.

Mr. Windham observed, that he intended to propose a clause, by way of rider, which would do away the objections of the honourable baronet. While the militia was on the whole above that establishment which had been thought sufficient, there were some regiments considerably below it; and this clause would leave it in the power of the Crown to raise such reduced regiments up to their complement, whenever it might seem proper. This measure would keep alive the idea of ballot; and as to the question of bounty, since it was not proposed at present to have recourse to it, he would leave it open for future discussion. This was all it seemed necessary to say in reply to the honourable baronet.

The bill was then read a third time, and Mr. Windham brought up a clause, enabling his Majesty, if he shall think fit, to direct the ballot to take place, for supplying vacancies in regiments reduced below their establishment.

This clause was then made part of the bill, by way of rider, and the bill was passed.

TRAINING BILL.

The report of the committee on the training bill was then brought up; and on the question being put, that the report be now read,

Sir H. Mildmay said, that he thought the country had reason to complain that ministers had delayed bringing this measure forward till so late a period of the session, when it was now impossible to ascertain the real sense of Parliament on the subject. It was certainly desirable, considering the wild notions which have been lately introduced into the construction of the regular army, and that it was intended to suspend the laws which relate to the militia, that an efficient force should somewhere be created on which the country might rely in case of any unexpected emergence; but disapproving of the principles on which this bill was founded, and the provisions it contained, he did not consider it as that best calculated for such a purpose. It very much resembled the plan brought forward at the commencement of the war, in many respects, though it essentially differed from it both in the circumstances of the country at the time it was suggested, and in some of the most prominent features of its character. The former bill was introduced when we were at the beginning of a war, with our own military establishments on a very reduced scale, while the enemy had a large and well disciplined army actually on foot, with which he threatened us with immediate invasion. At such a moment any plan was judicious which placed arms in the hands of such a proportion of the loose population as the government thought equal to any necessity that might arise. But this was not the case at present: we had now a larger military establishment than the country had ever known; our militia, by long experience and discipline, was little inferior to the regular army, and we had 300,000 volunteers, most of whom had been reported fit to act with troops of the line. There was nothing in the situation of the country to create dismay, or to justify calling on the public to submit to the onerous and oppressive operation of this bill. The bill of 1803 gave a distinct option to the country, either to raise the number of volunteers prescribed by government, or to incur the inconveniences of the levy-en-masse. The country did not hesitate to accept the alternative, and the number of volunteers were raised without the least difficulty, and the government might have had three times as many if they had

had chosen to accept them. It was a distinct bargain made with the country, that by raising the volunteers, they should exempt themselves from compulsory training. After the country had scrupulously performed their part of the covenant, the government was precluded from resorting again to the measure which was now brought forward, without a manifest breach of public faith. The bill was also very objectionable, as it imposed an intolerable tax on the lowest orders of the labourers, the manufacturers, and the artisans, of whom this force was to be composed. The ordinary earnings of such persons might be taken at three shillings a day, whereas the pay allowed by government would amount to only one shilling, so that each man would lose two shillings a day for every day he went out. This would amount to no less than 480,000*l.* supposing the whole 200,000 men called out for twenty-four days. The bill was also partial and unjust as applying to England alone. Why was Scotland excepted? If the bill was a benefit, as some contended, why was that part of the united kingdom to be exempted from such benefit? or, if it was a burden, what had Scotland done to redeem herself from her share of the pressure? No man could doubt the zeal and loyalty of that part of the kingdom, and no man could doubt that in case of invasion the coast of Scotland was as much exposed to attack as that of England; and why were they to be defended both by men and money at our expence? The bill had been called an experiment, and as such should be first tried on a confined scale: that might be a very good argument to Scotland, who was exempted from the burden, but would hardly be satisfactory to us who were to bear the whole expence. As to the volunteers, this plan was not calculated to encourage them: it took from them not only much of their allowances, but also many of those advantages which had contributed to raise them to the high state of discipline which they had attained. The language of contempt which had so lavishly been bestowed on that system, coupled with the provisions of this bill, must effectually damp the spirit and activity of the volunteers. It could not be expected from men, who served at great inconvenience and trouble to themselves, to continue in the service when they had so much reason to think that their exertions were undervalued by the government. That feeling generally prevailed. There was hardly a single volunteer who did not feel himself disgusted with the expressions and conduct of the secretary for

for the war department. It was rather singular also, that he should be the person to revive ballot and commutation of personal service for money, who had so pointedly reprobated both those measures. The concurrent jurisdiction of the constable and drill serjeant was ludicrous, and perfectly useless, unless indeed the drill serjeant was to be used as a crimp for the regular army. He proceeded to comment on several clauses of the bill, and contended that all that was meritorious in the plan was stolen from the act of the former administration; that it contained a distinct recognition of all that was considered most exceptionable in Mr. Pitt's additional force bill, and was wholly unworthy of a government who assumed such super-eminence of talent, and had promised so much to the country. He concluded by moving, that the farther consideration of the bill should be postponed for six months.

Mr. Eyre disliked the bill chiefly upon its compulsory principle: he thought compulsion was the very last principle government should resort to in a free country, and it was wholly unnecessary now, unless it could be shewn that the spirit of volunteer service was so depressed as to render it indispensable; but feeling that this was not the case, he considered this bill as putting a complete end to the volunteer service. The right honourable gentleman had been charged with casting slurs upon the volunteers, and he had denied that charge; but how would he do away the sarcasm which this bill cast upon them? Was it no sarcasm, at a moment that there were 300,000 volunteers in arms in the country, to set them down by this bill as nothing, and fly to a compulsory levy of the people *en masse*? The only thing which could at all reconcile the bill in any degree to his mind, would be the right honourable gentleman's assent to the admission of a clause he should propose on the third reading of the bill. Without this he should vote against it altogether.

Sir R. Williams begged to ask of those who gave so much opposition to the present bill, and endeavoured to charge on his Majesty's ministers a purpose of damping the volunteer spirit, whether those ministers were not entitled to some credit for exempting the country, at this crisis, from a repetition of the enormous expence of five millions, which the volunteer system, under its present regulations, had cost in three years? He contended the present bill had no such tendency as that of doing away or putting down the volun-

teers,

teers. It was the original intention that they should, as volunteers, serve the country, and clothe themselves at their own expence. To restore that principle was the only operation this bill could have in respect to them, and therefore he should give it his support. He deplored, as much as any man, the loss of a late right honourable gentleman in that House; but he had no idea of opposing his Majesty's present ministers, merely because they were not of his administration, or because they were opposed to it. He thought the measures they had hitherto brought forward were for the good of the country, and therefore they should have his support.

Mr. Fonblanque supported the bill. He denied that it could have any such tendency as that of putting down the volunteer system. He thought it was the bounden duty of his Majesty's ministers to take every precaution for securing the country against the danger of an invasion; and with that view, to avail themselves in the utmost extent of the physical force of the country, and to render that force efficient by a timely training, instead of waiting until the last moment, when absolute necessity should demand the *levy-en-masse*, and when they must be assembled as a tumultuous, confused, and disorderly rabble, instead of trained men fit to be attached to and act with regular regiments. The honourable gentleman had said that the volunteer spirit of the country had been damped. He would take them at their words; and if their own assertions were true in this point, they offered the strongest argument for adopting this bill, which, so far from depressing, would support the volunteer system, and, in all events, secure the country against the mischiefs which must result from the volunteers choosing, if they should ever do so, to withdraw their services, and desert their standards. His right honourable friend felt, they had a right by the term of their service to do so, and it was his duty to be prepared against it, by a measure which would secure to the country 200,000 trained men, in case of emergency.

Colonel Bastard complained that the measure was brought forward without any estimate of its probable expence, or any ground whatever upon which even to guess what it would cost, or how many men would be induced to train under it. There did not appear even a chance that one-fourth of the number of 200,000 men would be secured by it, as every man who could pay the fine would, no

doubt, exempt himself from the service. He disliked the bill for its compulsory principle, and was convinced that the yeomanry of this country would, at any time of public danger, be more ready to act under the direction of their landlord, and the gentlemen of the country, than under any compulsive system like this, the effect of which would be to render them sulky and discontented. The honourable colonel took occasion highly to commend the spirit and liberality of the Duke of Northumberland, in arming and training, at his own expence, the tenantry on his estate, who, he was convinced, would be found to act in the day of danger, under an illustrious branch of the house of Percy, as a "Theban band:" and he verily believed, like their brave ancestors, the fifteen hundred valiant bowmen at Chevy-chace, should they come to encounter any enemy in their native land—

"That children yet unborn would rue
"The fighting of that day."

General Loftus was convinced of the necessity of the bill, and only wished it had gone much farther. It was necessary to use every exertion which the physical force of the country afforded for security at home, in order to enable us to act with effect abroad. Our chief danger from invasion lay in the vast extent of our coasts; and he would venture to assert, that if our armies were double or treble their present numbers, they would not be sufficient to ensure our security without such a measure as this. Let it be recollected, that though our fleets at present command the seas, (and he hoped ever would do so) yet it might happen not always to be the case; and even with all the force and vigilance by which we were guarded, yet one night might waft to our shores a formidable enemy. To encounter such an enemy on the first alarm, he could wish to see the population of every town, village, and district, in the realm ready trained, and fit to march at a moment's warning. He could wish to see them properly classed for the purpose, and he considered such a plan perfectly practicable, from what he had seen of the populace in Ireland at the time of the rebellion, and how formidable a force they composed, and only with pikes. The same might be done with the populace here, or a great portion of them. When he recollected the important services performed by the volunteers of Ireland in that rebellion, and that they had, by their loyalty and valour, saved the country to England, he could never

never be supposed to undervalue the services of volunteers, in recommending the training of such a force as he described. But these men everywhere armed, and ready to form on any part of the coast against an enemy, aided by detachments of artillery, before volunteers, quartered in towns, could be got in force, must be of important service. As to the practicability of a formidable invasion suddenly, and in ships of war, he had a proof before his eyes; for being quartered at Yarmouth some years since, when Admiral Duncan commanded a fleet in the North sea, that gallant commander came into port, and swept the sea of all the Dutch fishing-boats in his way, to prevent their giving intelligence of his return to port. By desire of the admiral, he had marched down his garrison to the water's edge, in order to try how many men each of those schuyts were capable of conveying; and he found that each boat could conveniently carry fifty-five fighting men, with their arms, ammunition, and knapsacks. Of such boats the Dutch have many thousands in their ports, employed in the fisheries or in smuggling to our coasts, of which they know every creek where a landing might be effected, and every shoal and sand-bank over which their boats would float, at any given time of the tide, with perfect safety. Seeing this to be the case, and knowing it to be the firm opinion of Admiral Duncan, that the landing of an enemy in such a way was practicable, he could not feel the country secure against danger, even with all the protection of our formidable fleets at sea; and, therefore, he thought our force at home could not be too formidable; for this reason, he highly approved of the bill.

Mr. Mathews considered the measure before the House as unnecessary and injurious. It was singular, he observed, that gentlemen on the other side talked of the expenditure of millions as of a matter of insignificance, and yet they rested upon economy as the great recommendation of their course of proceeding with respect to the volunteers. The honourable gentleman remarked upon the facility with which the present ministers contrived to change their principles with their places.

Mr. Giles contended, that the bill occasioned no breach of faith with the country, or any of those districts which had formerly raised a number of volunteers as an alternative to avoid the immediate operation of the last training bill, in which there was really no such pledge held out. It

merely enabled his Majesty to dispense with the operation of the bill for the time, upon certain conditions. If there was any such condition, it must be looked for in the secretary of state's letter to the lord lieutenants of counties, and in that letter no such pledge was held out; on the contrary, it was obvious, from the tenour of that letter, that the proposed suspension of the training bill was only meant at the time to be temporary. He also denied that the bill was a measure of severity, when compared with the former training bill, which stipulated no definitive period of service; whereas the present bill specified only twenty-four days in a year, in which service he who took his turn this year would be succeeded by his neighbour in the next.

Mr. Ryder opposed the bill, and considered it wholly unnecessary at present, on a comparison with the period and circumstances under which the former training bill was brought forward by his right honourable friend; for, at that time our regiments of the line were reduced to skeletons, our militia but just called out, after having been disbanded, and the regiments not one-third full, or disciplined; our volunteer corps but just forming, and scarcely initiated in their drills; and invasion threatening us every hour. But though he was by no means disposed to undervalue our danger, or the force of the enemy, yet he could not forget the vast difference of our comparative situation. The naval force of that enemy had been since destroyed by our fleets, while our army was increased above 100,000 men, and our volunteer force amounted now to 300,000 disciplined troops able to act with any corps in the field.

Mr. Wynne replied to many of the objections which had been made to the bill, and pointed out many inconsistencies in the arguments of those who opposed it. He considered that the real discontent which prevailed in the volunteer corps remained principally with the officers of those corps that drew for eighty-five days pay, when other corps were entitled but to twenty-six. He considered the successes of our armies in the days of our Henrys' and our Edwards', as not so much owing to the valour of the knights, or the goodness of the cavalry, as to the excellence which the English yeomanry had acquired by the constant habits of exercising, in a manner similar to that pointed out by the present bill.

Sir R. Lawley had some clauses to propose, which he had no doubt would be very agreeable to the volunteers, as they

they had in view the arrangement and improvement of their discipline.

The Speaker suggested to the honourable baronet, that this was not the proper time to propose such clauses.

Lord Kirkwall asserted, that the opinion which the volunteers had been naturally induced to form, as to the views of the right honourable author of this bill, had served materially to damp their zeal and diminish their numbers. In support of this assertion the noble lord stated, that he had the honour to command a corp of volunteers, which consisted of 460 strong and effective men, twelve months ago, but which at the last muster returned no more than eighty. A similar reduction was, he apprehended, to be generally looked for, from the language and projects of the right honourable secretary.

Lord De Blaquiere could not imagine any thing more absurd than the proposition of an efficient levy, for which neither officers nor adequate instruction was provided.

Lord Binning called upon the learned lord on the ministerial bench (the Lord Advocate of Scotland) who was not present on a former evening when this measure was under discussion, to state his opinion upon the propriety of extending it to Scotland. If there was any benefit in the measure, the noble lord could not conceive that, upon any principle of fairness, Scotland should be refused a participation of it; and if it were a burthen, he did not think it fair that it should be confined altogether to England. There were many parts of Scotland to which this bill would be as applicable as to this country, and there was no danger of its meeting any such opposition as the execution of the militia law formerly did. But that opposition was not, in fact, the effect of the militia, but of that disaffection to the government which, he was happy to think, was now no more.

The Lord Advocate was surprised at the line and tone adopted by his noble relation, who had just sat down, and those who acted with him. They maintained that this measure would involve a breach of faith, and an invasion of the King's prerogative; would be productive of great expence and oppression; and yet, said they, "give a share of this abomination to Scotland." *(A laugh)*. They had been abusing the bill for some weeks, asserting that it would lead to confusion, and pull down the volunteers; and yet, with all their professed regard for Scotland and the volunteers, they would have the scope of its operation extended.

As

As to the opposition to the militia law, which had been alluded to by his noble relation, and which had been asserted to proceed from disaffection, he was not disposed to come into that opinion. He was aware that disaffection was often stated to prevail very generally in Scotland, and that he himself was described as one of the disaffected. But if he was disaffected then, he was so still. For he held no principles at that time, which now, in the King's service, did not remain perfectly unchanged, and they should ever continue so. But to return to the opposition which at the outset the militia law met in Scotland; that opposition did in fact arise from the general misconception prevailing of that law, and the pride and arrogance of some persons in that country, who would not condescend to communicate with the lower orders, and explain to them its object and provisions. If that law had been properly understood, he ventured to say that it would have experienced no resistance whatever. In the district where he resided, the law was fully explained to the lower orders, and therefore is was carried into execution without any attempt even at opposition. With regard to the bill under consideration, the learned lord confessed himself anxious that its principle should be extended to Scotland, and this opinion he had already communicated to its right honourable author. But yet he would not desire the present bill to be so extended, as in many of its parts it was inapplicable to that country. He would rather wish to bring in a separate bill upon the subject, and he would pledge himself to prepare such a bill in forty-eight hours as should be perfectly adapted to Scotland. The learned lord asserted that the former levy en masse act was quite impracticable in Scotland; and he concluded with pronouncing a high eulogium upon the conduct, disposition, character, and efficiency, of the volunteers of that country.

Mr. Canning hoped, the honourable and learned lord would redeem the pledge he had given, and shew the English ministers that he could, in forty-eight hours, frame a better bill than that which had been produced in four months, by the united labour of this wonderful government, from whom so much was expected, and who were said to possess a concentration of all the talents and worth of the empire. Those men had, however, legislated strangely for England, and he hoped the

the learned lord would bring in better and less objectionable bills for Scotland; but he must remind the noble and learned lord, that it was customary for persons holding his high official station to communicate directly with ministers, and whatever measures of this nature the English ministers thought right, the Scotch minister should go on *pari passu* for Scotland. Although the learned lord said that he could draw the necessary bill in forty-eight hours, yet the right honourable secretary (Mr. Windham) had stated, that he thought it too late in the session to bring in such a bill. He considered that this bill was a breach of public faith, not only to the volunteers, but to the country that furnished them. It was expressly stated, that the provisions of the former training bill should not be acted upon, if the country should furnish a number of volunteers equal to six times the number of the militia. The country not only performed its part of the contract, but it did a great deal more. It offered even a greater number of volunteers than the government would accept. The former bill, however, was much better in its principle than the present, as it acknowledged, and was founded on the ancient prerogative of the crown, which the present bill did not appear to admit. The present bill also contributed nothing to that object which was so much wished for, the procuring a disposeable force. He would defy the right honourable gentleman (Mr. Windham) to find out, in forty-eight hours, any system which could contribute so little to that object. He considered the compulsion severe, which was to enforce this measure; and therefore he found himself obliged to give it his most decided opposition.

Mr. Secretary Windham began by taking notice of the expression which the right honourable gentleman (Mr. Canning), so frequently indulged in, about minister's claiming all the talent and weight in the country. This was a thing which appeared peculiarly to rankle in that right honourable gentleman's mind, and in the minds of those who sat near him, and entered with so much rapture into that part of his speech. Neither ministers nor any of their immediate friends had ever made use of any expression that amounted to such a claim: he could not say whether it was an injudicious friend or a splenetic enemy

my who first used that sort of language to which the honourable gentleman so frequently alluded. Ministers, however, had repeatedly denied having ever put in such a claim, but they perceived that it gave the honourable gentlemen on the other side an infinite degree of pleasure in repeating it; while on the other side they might be assured that it gave no pain either to him or to his friends. The reason that he had expressly assigned for not extending the bill to Scotland in the present session, was, not from any dissatisfaction which he supposed to prevail there, but merely from the absence of the Scotch members, whom he would wish previously to consult. As compulsion was the principle of the militia system, it appeared to him most strange that militia colonels should inveigh against this measure as being compulsory. It put him in mind of an observation he had heard, that the most plausible schemes of retrenchments and paying off the national debt, often came from persons imprisoned for debt in the King's Bench and Fleet Prison *(a laugh)*. It also appeared to him most strange, that this could be said to be more compulsory than the training act of a former administration, when it was recollected, that in the present bill it is provided, that the service might be commuted for a fine, whereas under the former system no such commutation was allowed. Gentlemen on the other side had often stated, that certain expressions which he was supposed to have used at a former period must tend greatly to the dissolution of the volunteers. If it were true that he had used those expressions, which he denied, and even if those expressions had been as improper as could be represented to have fallen from any individual, he should ask, what sort of a volunteer army must that be, for a great nation to place its dependence upon, who could be driven from the duties they had undertaken by the expressions of any individual, and who could be dispersed like Virgil's bees—"*Pulveris exigui jactu?*" If many of the corps were rapidly decreasing in numbers, he could assign a better reason for it. It was, because many officers who had most meritoriously advanced large sums in the origin of their corps, finding themselves unable to continue those advances, and perceiving that government does not wish to pay the expences which were formerly defrayed by individual subscription, now seem to wish to find some point of honour that.

that will give an occasion for a quarrel, which would enable them to resign with a better grace. He considered the assertion, that this bill was a breach of faith, to be altogether unfounded and absurd. The parties to the contract were not merely the volunteers and the government, but it was the whole community and the government. The question, therefore, was merely whether the measure was right or wrong, whether it was good for the community or not? If it were good for the community, it would be most ridiculous to tell the community that it would be a breach of faith to them to give them a measure that was for their good; and that government was bound by a contract to them not to adopt such measures as were necessary for their security and protection.

Mr. R. Dundas wished the Lord Advocate to state whether he meant, at all events, to bring in a bill for Scotland?

The Lord Advocate replied, that he wished the measure to be extended to Scotland, but did not see that it was absolutely necessary in the present session.

Mr. Rose, jun. said, that although the opinions of the right honourable gentleman (Mr. Windham) had not much weight with the volunteers when he sat on opposition benches, it was a very different thing now he was a minister. If they considered him not friendly to their establishment, that circumstance must tend considerably to reduce their numbers.

The question was then very generally called for, and the House divided on the motion that the word *now* stand part of the question; upon which it appeared that there were

Ayes	—	139
Noes	—	53
Majority		86

The amendments were consequently agreed to. Some new clauses were added by way of riders to the bill, and the third reading was fixed for the next day. Adjourned.

HOUSE OF LORDS.

FRIDAY, JULY 4.

In an appeal from Scotland, "Rennie *v.* Tod and others," the Lord Advocate of Scotland was partly heard for the appellant. Further hearing on Monday.

Mr. Alexander and several other members of the House of Commons, brought up the slave ship restriction bill, the Irish spirits duty collection bill, the Irish customs bill, the

Irish poor bill, the assessed taxes allowance bill and several private bills, which were read a first time. The slave ship restriction bill and Irish poor bill were ordered to be printed.

The thread lace bill and the East India shipping bill were read a third time and passed.

The debtors' relief bill passed through a committee. Report on Monday.

The House resolved itself into a committee on the customs fees' bill.

The Archbishop of Canterbury objected to the clause for enforcing the attendance of the clerks and officers of the custom-house on all holidays except Good Friday and Christmas day, which he considered as a legislative mode of putting down those holidays, which had been considered by our ancestors as essential to the keeping in mind the history of the Christian religion. He thought that the whole of them ought to be restored in the bill; but if that was not to be effected, he should propose to restore a few of them which were immediately connected with the history of our Saviour.

Lord Grenville defended the clause on the ground of commercial convenience. Many of these holidays had not for some time been kept with any view to the purposes of religion, and there appeared to him no sufficient reason why the merchants of London should experience so much inconvenience from being unable to transact business at the Custom House on so many days, on which all other business was transacted as usual.

The Archbishop of Canterbury, referring to his former argument, proposed to insert, as holidays to be kept, the Epiphany and Ascension Day.

The Bishop of St. Asaph supported the arguments of the Archbishop of Canterbury, and proposed, in addition, the Annunciation and St. John the Baptist.

The question was put on the first amendment, and declared by Lord Walsingham to be negatived. Strangers were ordered to withdraw, the House being about to divide, but no division took place, and the bill passed through the committee without amendment and was reported.

Lord Grenville moved the order of the day for taking into consideration his Majesty's message relative to a vote of credit. His Lordship observed, that this being merely the usual message presented every session, previous to a vote of credit, it was totally unnecessary for him to enter into any argument

upon

upon the subject. He should therefore merely move an Address to his Majesty, declaring their readiness to concur in the object of his Majesty's message. Carried *nem. dis.*

LORD RODNEY.

Lord Grenville moved the order of the day for taking into consideration his Majesty's message relative to Lord Rodney. His Lordship stated that a pension of 2000*l.* per annum had been granted to the first Lord Rodney for the eminent services rendered by him to his Majesty and the public—1000*l.* was to devolve after his death to his widow and younger children; the remaining 1000*l.* to his eldest son for his natural life. His eldest son, the late Lord Rodney, enjoyed the pension but a short time after his father's death, and it was now proposed to continue that pension to the present Lord. There were several who heard him that were old enough to remember the brilliant victory gained by the distinguished officer who first possessed this title, a victory which, independent of its own importance, was of the most essential benefit to the country at that time, when the circumstances of the country were not the most pleasing, and when our military character had been lessened. It was true, that the pension referred to in his Majesty's message was granted for services antecedent to that victory, but not on that account the less important, which, on the contrary, entitled that distinguished officer to every mark of approbation from his country. As to the principle on which these remunerations were granted, there could not exist the slightest doubt of its being one of the best principles on which Parliament could act. A reward of this nature granted for eminent services diffused an additional spirit over a whole profession, and stimulated every one engaged in it, to seize every opportunity of exerting to the utmost his skill and ability in the service of his country, confident that his success would receive a grateful reward, and that, if he fell, an ample provision would be made for his family. Public economy was at all times necessary, but that was the best public economy which afforded the best assurance of public services, and nothing could be more important than that those who were fighting the battles of their country should be thoroughly convinced, that if they were not wanting to their country their country would not be wanting to them, and that whilst England expected every man to do his duty, she was at all times ready to do her duty to them. He thought it was at all

times adviseable, where his Majesty was advised to bestow a peerage for eminent services, and where a pension was granted with it, to annex such pension to the title, in order to enable its possessors in succession, the better to support their rank and dignity. It had, he believed, been intended to propose in the Irish Parliament, that this pension, which was granted on the revenue of Ireland, should be continued to each possessor of the title. That proposition, however, from some accident, was not made, and the pension, as he had already stated, expired with the death of the late Lord Rodney. He had no doubt that at any future period, if the present lord should have successors tothe title, that Parliament would readily grant the pension to the possessors of the title in succession. Under the present circumstances of the case, it was only intended to propose to grant the pension to the present Lord Rodney for his natural life; at any future period Parliament would of course act according to the nature of the circumstances then existing. His lordship concluded by moving an address to his Majesty, declaring their readiness to concur in the object of his Majesty's message. Carried *nem. dis.*

Mr. Smith from Greenwich Hospital presented an account of the expenditure for the relief of seamen, under the act of the 45th Geo. III. Ordered to lie on the table.

Mr. Johnson, from the office of the chief secretary for Ireland, presented the fourth report of the commissioners of inquiry in Ireland. Ordered to lie on the table, and to be printed. Adjourned till Monday.

HOUSE OF COMMONS.

FRIDAY, JULY 4.

Mr. Moore gave notice of his intention to move on Monday, that the minutes of the evidence taken before a committee appointed to consider the petition of the journeymen calico printers in a former session, should be referred to a committee, with a view to make a report thereon.

The Scotch distillery bill, the Irish revenue regulation bill, and the Irish butlerage bill was read a third time and passed.

Mr. Vansittart gave notice of motions for the next day, for a committee to consider of the propriety of granting an additional bounty upon the exportation of silk manufacture from Great Britain. Also, for a committee upon the propriety of allowing the importation of yards, masts, and other ship-timber, from our North American colonies, duty

free. Also, for a committee to consider of granting a bounty upon the importation of fish into the islands of Guernsey and Jersey from Newfoundland, and the coast of Labrador. Also, for a committee to consider of allowing French wines to be imported into Great Britain from Ireland, in bottles or flasks.

Mr. Calcraft brought in a bill for granting compensation to the proprietors of certain lands at Chatham, Warley Common, and Woolwich, which are to be used for the purpose of his Majesty's ordnance. Read a first, and ordered to be read a second time on Monday.

The English quarantine regulation bill was brought in, as was a bill for regulating the office of the receiver general of the customs. Both were read a first time. The former was ordered to be read a second time the next day, and the latter on Tuesday.

The Westminster-hall and Houses of Parliament avenue bill went through a committee, and the report was ordered to be brought up the next day.

A bill was brought in by Mr. Vansittart, for granting a bounty upon oil of vitriol exported from Great Britain. Read a first, and ordered to be read a second time next day.

A person from the commissioners of inquiry in Ireland presented the second report of that commission. Ordered to lie on the table, and to be printed.

A person from the exchequer presented an account of all sums issued in consequence of the addresses of that House, and which had not been made good by Parliament. Ordered to lie on the table; and Mr. Vansittart gave notice that he would on Monday make a motion in the committee of supply upon this subject.

A person from Greenwich Hospital presented an account of the expences incurred under the act of the 45th of the present King. Ordered to lie on the table, and to be printed.

Sir John Newport gave notice of a motion for Monday, relative to the Irish revenues.

On the motion of Mr. Vansittart, the House resolved into a committee upon so much of the excise act of last session, as related to the tax upon glass; and a resolution was adopted to effect that which was, by mistake, omitted in the act of last session, namely, that a countervailing duty of 14*s*. 10½*d*. should be imposed upon crown or German sheet glass imported into Great Britain directly from Ireland. Report the next day.

The

The postage bill went through a committee, and the report was ordered to be brought up the next day.

The Lords' amendments in the Irish post roads bill, were taken into consideration, but the Speaker, stating that those amendments were made in a bill which related to a tax upon the subject, as it involved a power on the part of grand juries to levy taxes, and, of course, invaded the privileges of the commons, they were, on the motion of Mr. Vansittart, ordered to be read that day three months, consequently the bill is lost; but Mr. Foster announced his intention of moving, the next day, for leave to bring in a bill upon the same subject.

Upon the motion of Sir J. Newport, the House resolved into a committee upon the Irish and English corn free intercourse bill.

Mr. Foster wished to do away the duties upon import, and bounties upon export, which were left standing in this bill, and which were adverse to the principle of a free intercourse; he therefore moved clauses to set them aside.

After a few remarks from Sir John Newport, Mr. Claude Scott, and Mr. M'Dowall, who wished the consideration of these clauses to be postponed till next session, as they were of great importance to Scotland, particularly with regard to malt; and as many persons very much interested were now absent. Mr. Alexander expressed a wish, in consequence of his indisposition, to leave the chair. The honourable member's wish was immediately acceded to; and the committee was ordered to sit again the next day.

Lord Temple wished that his honourable friend (Mr. Hobhouse) would consent to postpone his motion for the second reading of the Nabob of Arcott's debts bill, which stood for that day, in order to give way to the important subject which was to come on for discussion.

Mr. Hobhouse felt the importance of the question to which the noble lord alluded, because delay would serve to keep the feelings of the noble marquis, to whom the discussion referred, in the most painful suspense, and therefore he would yield to his noble friend's request. At the same time he must beg it to be understood, that he would press the expediting of this bill, as any further delay might endanger its fate for the present session. The honourable member moved the second reading of the bill on Monday.

Mr.

Mr. Rose suggested that the American intercourse bill was to be discussed upon that day.

After some conversation between Mr. Hobhouse, Mr. Rose, and Mr. S. Bourne, the second reading of this bill was fixed for Monday.

Mr. Pattison brought up the report of the committee appointed to consider the several petitions relative to the woollen manufactures, which was ordered to be printed, as were the minutes of the evidence taken before the said committee.

A message from the Lords announced their Lordships' assent to the East-India shipping bill, the thread-lace duty bill, the foreign post bill, the Clyde navigation, and West-India docks road bill, with several private bills.

The Master of the Rolls rose, pursuant to notice, to move for leave to bring in a bill for augmenting the salaries of Masters in Ordinary, belonging to the Court of Chancery, and also for granting a certain revenue to such as may be or become unfit, from age or infirmity, for the discharge of the duty attached to their office. The sum necessary for this purpose, the learned gentleman proposed to have made up from the interest of the money belonging to suitors, which the House must be aware was in the hands of the masters. This interest accrued from the vesting of such money in government securities; and the surplus beyond the purposes to which it was at present assigned, would be quite sufficient to answer the ends which his motion had in view. The salary which the learned gentleman proposed to grant to superannuated Masters, he mentioned to be 1,500*l.* a year.

The first motion being agreed *to*, the learned gentleman proposed another motion, the object of which was to grant an addition to the establishment in the Accountant General's office, namely, that four clerks should be added, and that the salaries of all the clerks should be augmented, that the principal clerks should be allowed 500*l* a year, the second 400*l.* the 3d 300*l.* and the junior clerks 180*l.* This augmentation of salary, combined with a sum which he thought necessary to defray the expence attendant upon the increased business in this office, and to satisfy the executors of the late Mr. Warner for such expences incurred by him, the learned gentleman proposed to provide for from the surplus interest of the fund already alluded to. The sum now vested in government securities by the Mas-

ters

ters in Chancery, the learned gentleman described to be about 21 millions; and the different accounts opened at the Bank in consequence of this sum by the Accountant General, he stated at about 5,000l. This circumstance he mentioned to shew the increased business of the Accountant General's office, and he stated that the arrangement proposed had been agreed to by the late Lord Chancellor, by the present, and by himself.

Leave was given to bring in the bill conformable to the learned gentleman's statement.

The learned gentleman gave notice of his intention to move on Monday for leave to bring in a bill to enable the Lord Chancellor to make certain arrangements in the offices connected with the Court of Chancery.

Upon the motion of Mr. Bankes, a committee was appointed to consider of the message received from the Lords relative to the examination of Lord Teignmouth, to search for precedents relating thereto, and to prepare an answer to the said message.

Mr. Whitbread said, that the report of the committee appointed to examine the Journals of the Lords relative to a recent trial being some days in the hands of the members, he should on Monday move that that report should be taken into farther consideration, with a view to move for leave to bring in a bill for the better regulation of the office of the treasurer of his Majesty's navy.

TRAINING BILL.

Mr. Windham moved the third reading of the training bill.

Mr. Yorke, pursuant to notice, proposed a clause to enable the government to suspend the execution of this act in such districts as might offer a sufficient number of volunteers. If the act before the House were to pass in its present shape, he was very much afraid that the volunteers would consider themselves deprived of that protection for which, from their services, they were entitled to look. The general understanding was, that the object of this bill was to substitute compulsory for voluntary services, and if the clause be submitted, which was to be found in the original bill, were expunged, there was too much ground to warrant that understanding. Were the right honourable secretary to adopt this clause, he was persuaded that the bill would be much more palatable even to its friends.

But

But however the clause might be disposed of, it was his wish to bring it up, in order that it should appear as a protest on his part and that of his friends against a measure in his and their judgment likely to produce most mischievous consequences.

Mr. Windham opposed the clause as calculated to defeat the principle of this bill, which was not, as the right honourable gentleman stated, the substitution of a compulsory for a voluntary force, but the addition of the one to the other. As to those districts in which the volunteers were particularly numerous, there was a provision in the bill which enabled his Majesty to require of such districts in calling out, only so many as he saw occasion for; and therefore the object of the right honourable gentleman's clause was, in a great measure, answered.

Mr. W. Smith was only sorry that the measure did not go far enough, by proposing to train the effective population of the country. His opinion was in complete coincidence with that of the learned lord, (the Lord Advocate,) that even children at school should be taught military exercise, for his conviction was, that in the present state and prospects of the world, we should not, unless a greater portion of martial spirit were infused into the people, be able to maintain our rank among the other nations of Europe.

The clause was negatived.

Mr. Yorke then proposed a clause, to which he hoped there would be no objection, that every man called out under this bill should take the oath of allegiance. Such was, he observed, the clause of the former act, and such was uniformly the case with regard to the volunteers.

Mr. Francis asked whether, if a man should refuse taking this oath, he should therefore be exempted from training?

Lord Castlereagh professed himself really surprized to hear the supposition supported, that any of his Majesty's subjects would hesitate to take that oath, which by the common law it was the bounden duty of all to take at as early a period of life as possible; and he would be glad to have the performance of that duty superinduced by any act of this nature.

Mr. Francis said, that he did not suppose that any individual would hesitate to take the oath alluded to, from a principle of disaffection; but if a man were conscien-

tiously to decline it, what would be the consequence? Was he, therefore, to be excused from the training, or was he to be punished? If the latter, the measure would be compulsory indeed, with a vengeance.

Mr. Windham saw no necessity for proposing this oath; conceiving that every one of his majesty's subjects was equally bound to the duties which the oath prescribed, whether he took it or not; and he rather apprehended that the proposition of it might excite alarm among the more ignorant part of the community, and so defeat the object of the bill.

Mr. Yorke never heard of any alarm that was excited by the proposition of this oath to the volunteers, and why then apprehend it in this case?

The Lord Advocate was at a loss to conceive the object of this clause. Compulsion was deprecated by those who proposed it, and yet they now enforce this oath. If, however, a man refused to take it, it did not appear from the bill what consequence was to follow.

Mr. Yorke observed, that a man was bound by the common law to take the oath of allegiance, and in this case if a man refused such oath, he would of course be subject to the penalties which attached to a man refusing to be trained.

Mr. Perceval corroborated this observation, and begged the House and the right honourable secretary to recollect the salutary consequences which resulted from the administration of oaths during those unhappy scenes which were gone by, he hoped, never to return. But a statesman, framing a permanent measure like the present, should provide against even the possible recurrence of such an evil; and, remembering that men who took the oath of allegiance were always the most difficult to draw into the societies of disaffection, he would take care to extend that additional guard to loyalty.

The House divided upon the clause—Ayes, 38—Noes, 84—Majority against the clause 46.

The bill was then passed, and ordered to the Lords.

Lord Castlereagh, as orders must have been issued as to the recruiting on the new system, asked the right honourable secretary opposite, whether the bounty was reduced, or whether the recruiting still went on with the old bounty, as economy had been urged as an argument in favour of this measure?

Mr.

Mr. Windham said, that such an argument might have been stated, but that no great weight had been attached to it. But he did look to a diminution of the bounty, and the plan of the reduced bounties was prepared, but in the mean time the object was to get men, and if any comparison was to be instituted between this and any other measure, it must be done with this view. The recruiting at present proceeded with the old bounty.

Mr. Canning asked whether he was to understand that the recruiting went on for limited service at the same bounty as for service for life?

Mr. Windham replied, that the bounties for the present continued as they were before.

General Tarleton thought the answer so little satisfactory, that he gave notice that on an early day he would propose a motion to the House relative to the military defence of the country.

Lord H. Petty moved for leave to bring in a bill to consolidate the land tax acts, and to exonerate small livings and charitable institutions from the land tax. He stated that 7000*l.* per annum arising from the redemption of the tax on church lands, should go to increase livings not above 150*l.* a year, at the discretion of the commissioners of the land tax.

ROYAL FAMILY.

On the motion of Lord H. Petty the House resolved itself into a committee of supply.

The message respecting the provision for the royal family, the loyalty loan accounts, and surgeons' petition, were referred to the committee.

In the committee his Majesty's message was read, after which

Lord Henry Petty rose, and observed that with regard to the first part of it, which went to the establishment of the grants on the consolidated fund, the object was sufficiently stated, and therefore little explanation could be required. The House would recollect that some time ago grants had been made to the Duke of Gloucester and the Princess Sophia on the aggregate fund, which had been since transferred to the consolidated fund. It therefore became necessary to grant the provision on the other fund. On this subject there could be no doubt, as the object was merely to place the matter on the same footing as before.

But the message did not stop there. He hoped, however, that there would be as little difference of opinion on the latter part as on the former, as it called merely for an adequate provision for the Princes, and no more. It did not include his Royal Highness the Duke of York, who had declined coming forward on this occasion, as in the present situation of the country he thought he was already sufficiently provided for. With regard to the remainder of the princes, it would be recollected that a provision of 12,000*l.* per annum each had been made for them. That was fixed at so early a period as 1778, and he left it to the House to judge, considering the increased price of every article of life and the more advanced age of the princes, which required a larger establishment to support their rank, whether some augmentation in their allowances was not necessary? He might refer to former precedents, and more especially to that of the late Duke of Gloucester, who had 24,000*l.* But he did not wish to rest the matter on precedent. All he ventured to propose was, the sum necessary to support their rank and situation. With this view he was to propose that the grants should be increased by one-third, and that instead of 12,000*l.* to each, there should be 18,000*l.* a year. He would propose at the same time that the estimates of the former year, as to the expences of the Princess Charlotte of Wales, should be laid before the House. This estimate was 6,000*l.* and he would move that 1,000*l.* be added to that. As to the princesses they were to be placed on the same footing as the Duke of Gloucester, and the Princess Sophia of Gloucester, and have their allowance transferred from the aggregate fund to the consolidated fund. He concluded by moving, that an addition of one-third to their allowances should be granted out of the consolidated fund to the Dukes of Clarence, Kent, Cumberland, Sussex, and Cambridge.

Mr. Rose said that any sums which had been charged on the aggregate fund might by the act be now charged on the consolidated. But he supposed that the charges had not actually been made by his Majesty. He approved of both parts of the message, and thought the addition required by the circumstances of the case.

Lord H. Petty then moved the other resolutions, which were as follows:—

For the Princess Charlotte of Wales, during his Majesty's life time, and the life of the Prince of Wales, ... £.7,000

For

For the Duchess Dowager of Gloucester, for whom no provision had been made - £.4,000
For the Duke of Gloucester, raising his allowance one-third, in the same manner as that of the princes - - - - - 14,000
For the Princess Sophia of Gloucester, in lieu of 4,000*l.* on the aggregate fund - - 4,000

Having moved these resolutions respecting the grants to the Royal Family, he next proposed a grant of 15,000*l.* to the Royal College of Surgeons, towards raising buildings to be a proper receptacle for the Museum of the late Mr. Hunter, and for a theatre for public lectures.

Mr. Vansittart then moved the following resolutions:—

For paying off the loyalty loan annuities	£.286,179	18	0
For keeping in repair the roads leading to the metropolis for half a year - -	3,167	0	0
For printing the public records of the kingdom - - -	3,596	5	10
For printing the returns relative to the poor	393	0	0

All these resolutions were unanimously agreed to. Report the next day.

Mr. Paull postponed the bringing forward his supplementary charge relative to the transactions in Oude till Monday.

The bankrupt laws bill was committed. Report on Monday.

OUDE CHARGE.

Lord Temple then moved the order of the day for taking into consideration the Oude charge against Lord Wellesley.

Mr. Paull begged to call the attention of the House to the extraordinary mode of proceeding adopted by the noble lord, and which seemed unprecedented in the annals of Parliament: he meant his attempt to take the matter out of his hands who had first brought it before the House.

Lord Temple thought it must be in the recollection of the House that he had not pressed any premature decision; but after the evidence had been produced, and sufficient time given to consider it, and when the honourable gentleman appeared still not inclined to come to any decision, he had thought it his duty to propose that some decision should be come to, that justice might be done to the character of his noble friend. He did not ask any indulgence, but

but only what the meanest and most guilty individual had a right to demand. He did not wish to take the business out of the honourable gentleman's hands. Should the House agree to the motion, he would give him the precedence in any motion he had to propose. All that he wished was, that speedy justice should be done.

Lord Folkestone said, that he could not have expected that any person would have proposed coming to an immediate decision on this subject, in the present state of the question, of the House, and of the session. Obstructions had been thrown in the way of the honourable gentleman; and when at last the papers were in the hands of the members, he would ask, whether the other business of the House had allowed them sufficient time to come to a decision upon them. Besides, the Oude charge was connected with others, and would derive support and illustration from the evidence in support of them. On this account, the whole discussion should be entered into at once, and the questions respecting Lord Wellesley's conduct be decided at the same time. We had been told that the eyes of India were directed to this House, and he would ask, should a question, involving the interests and independance of so many Indian princes, be hastily decided in an empty House? Besides, from a cause, which every man must concur in lamenting, a right honourable gentleman was necessarily absent, and he thought it material to know the opinion of the leading men in his Majesty's councils on the subject of the charge. He implored the House, therefore, to defer their decision at this late period of the session, and under the present circumstances of the case; and, as the only way of getting rid of the question, he moved, that they do now adjourn.

Colonel Wood was of opinion, that the House should proceed to a decision on the charge without delay, which he maintained to be altogether unnecessary, after the evidence and papers that had been laid before the House.

Dr. Laurence observed, that he could not sit silent when he heard it asserted, that the honourable member who had brought forward the charge had received every indulgence, while in truth he was goaded at one time, and thwarted at another, and it was now endeavoured to precipitate that decision which had hitherto been retarded. This was a question which concerned the guardianship of 50 millions of the natives of India, who had no other protectors

protectors but this House. It was not a question between an individual and Marquis Wellesley; it respected the validity of acts and resolutions in which the fate of millions was concerned. Every dependant power in India was interested in the decision. No one particular charge could be fully comprehended without being accompanied with the evidence on which the others was founded. He did not conceive that such a premature decision would operate to the benefit of Lord Wellesley's character, and whatever might be the present decision of the House in so thin a meeting, he himself would take up the question in the next session of Parliament. As far as lay in his power, it should not be said that the people of India had reason to complain of being defrauded of their just rights.

Mr. Canning expressed his resolution to confine himself entirely to the present question, without entering into the merits of the charge against the noble marquis. He could not, however, pass over the extraordinary threat of the learned gentleman, powerful as it was in his lips, and from the manner in which he delivered it, but which, he must say, was equally in the power of the meanest and most contemptible individual to make against any servant of the Crown, however meritorious. The learned gentleman might propose in the next session to the House to review their decision, but this would remain a point open to their discussion. As to the merits of the question now before them, he observed, that the whole of the session had been from time to time occupied by charges, and by motions for papers by which they were to be supported. These had been brought forward at the chosen time of the accuser. If the principle were admitted, that the House could not decide on one charge before the evidence on all the others was before them, and without being acquainted with the whole system of policy pursued in India, the period of decision might be prolonged to an unlimited extent. The House might be occupied in hearing charges, so long as the hon. gentleman had a supplementary one to propose, while it was impossible that the person accused could be heard in his own defence. The accusation had been made, and the documents by which it was supported were before the House, and yet after all the evidence had been heard, it was contended, after a new species of justice, that the defence of the noble lord was to be postponed, and that the House should not come to a decision in the present session. A noble lord had wished the question to be postponed, on account

count of the absence of a right honourable member from illness. This he regretted as much as any man in that House, and he lamented that the House could not have the benefit of his eloquence on the present occasion. But the wish of the noble lord was directly contrary to those sentiments which that right honourable gentleman had expressed. He had formerly stated, that he should think it a great and crying hardship on Marquis Wellesley, if the charges should remain undecided in the present session. This, indeed, he had considered as the settled opinion of the House, and he did not know of any thing that had taken place since to alter that opinion. The present he considered as a mere question of justice. The longer any man had been employed in high offices of state, the more multiplied might be the sources of accusation against him; and, if an accuser was permitted from time to time to delay a decision, it might happen that the only reward such a man might receive would be, to have the last moments of his life embittered by anxiety with regard to the decisions of this House.

Dr. Laurence and Lord Folkestone explained.

Mr. R. Thornton thought, that any decision the House might come to at present on the conduct of the noble lord, would be precipitate, and would not tend to acquit him in the public estimation. He was aware of the painful situation in which he was placed; but all who were accused, however innocent, must submit to such inconvenience before a mature decision takes place. He also wished the matter to be left in the hands of that honourable member who had at first taken it up, and he trusted that the House would give the whole that full deliberation which the country expected, but which could not be done at the present late period of the session.

The Master of the Rolls supported the motion for an immediate decision. He considered the charge as now ripe for a decision, and therefore it was competent for the House to enter upon it, however late might be the period of the session. It was contrary to every principle of justice, that when the charge was before the House, and all the materials by which it was supported, the person accused should not be allowed to call for a decision. The question was, indeed, of importance, but it had already been six months before the House, and they were surely ill qualified for performing their most important functions, if they were not now prepared to decide upon it. By the *habeas corpus* act, the

meanest individual could call for the speedy decision of the law, and the noble lord was equally entitled to demand the determination of the House. If it were the object of the honourable gentleman who had brought forward the charge to carry it beyond the present session, he thought it the duty of the House to disappoint that object.

Mr. Windham was against going into the committee, or urging the House to a hasty decision on the subject; and he vindicated the principles avowed by an honourable and learned friend near him (Dr. Laurence), of which the speech of a right honourable gentleman was a complete misrepresentation from one end to the other. That the question was one of the most serious importance, every one must allow; but he could by no means agree to such a principle as that, because it was important, it should therefore be decided in the present session. He wished to know where it was that the honourable and learned gentleman found such a doctrine? For his own part he denied the conclusion, as wholly unwarranted by the practice of Parliament. An opinion had been quoted as that of a right honourable friend of his, to which he should certainly be at all times inclined to pay great deference; as if he had said, that the decision of the House on this charge ought to take place in the present session, at all events. But if it were possible his right hon. friend could have expressed such an opinion, without adverting to what might be the state of the House, and the due consideration of the evidence upon which it would have to decide, he must consider such an opinion as not delivered with his usual rectitude. The honourable gentleman who brought forward this charge had been accused of procrastination, because he had not moved for all the papers at once, which he thought necessary to support his allegations, but on the nature of a charge so complicated, how was this practicable? A member asks for a number of papers by general description, and upon reading them, he finds other papers suggested to him, which he also thinks necessary. In the present case this had happened on the side of the defence, as well as of the accusation, and ought not to be imputed as matter of blame to the honourable member who brought forward the charge, any more than to those who resisted it. Another imputation made against the honourable gentleman was, that he contended no decision ought to take place upon the present charge, until the evidence upon all the other charges had been produced. Such arguments

might be put into his mouth, to answer the purposes of those who were opposed to him, but he (Mr. Windham) never understood the honourable gentleman to use such a pretence, though it was very possible some parts of the present case were so involved in the same circumstances of testimony on other charges as to be best considered with them. But it was said the honourable member procrastinated; that the feelings of the noble marquis were involved; and that here the House must stop and come to a decision. He would say, no: he could not find that any unnecessary delay was fairly imputable to the honourable member. He was aware, as well as any man, that the feelings of the noble marquis, upon a charge so important, must be held in painful suspence, but from the nature of the case it was impossible it could be otherwise. It was impossible that every man charged with a crime could be brought to his trial the moment he was accused. The noble marquis might sustain in this case a mere *damnum sine injuria*, but it was a circumstance common to all cases of a similar nature, and could be no argument for pressing the House to a hasty and rash decision, in a case upon which the most cool and mature deliberation was peculiarly necessary. The next point to which he would advert, was the proceeding of the noble lord in taking the management of the charge out of the hands of the member who brought it forward, and placing it in the hands of others, without any management at all; or, what was not better, in the hands of those who avowed themselves to be the friends and advocates of the noble marquis. But he begged to ask, was this the sort of proceeding to which the House would give its countenance, or upon which the friends of the noble marquis would wish to see his conduct vindicated? It had been said by a right honourable gentleman (Mr. Canning) on behalf of the noble marquis, that the more high the station a man filled, the more power he possessed for acts of generosity and beneficence; and the longer he enjoyed that power, the more liable he became to charges of a malicious nature; but, surely, if ever there were cases in which the House should be more ready than in others to entertain impeachments, it was against persons who had filled places of high authority and power, who, while they had the means of doing acts of great generosity and beneficence, had also the power of doing many acts of injustice and oppression; and who should be made answerable for such abuses of their power, wherever the proofs could be made

made manifest. He must, however, say, that instead of any encouragement from the House, the honourable member who had brought forward this charge had met with peculiar discountenance; and, notwithstanding the urgency with which the friends of the noble marquis pressed forward this decision, he would ask the House, how far it was ripe for such a decision? How many gentlemen of those now present had taken time to read, and maturely deliberate upon the great body of evidence adduced in support of the charge? For his own part, he would acknowledge, that the variety of his own avocations had allowed him no such opportunity. How many members had left town, without reading any of the papers? And how far was it consistent with rational justice, to try such a case before a tribunal, reduced in its numbers, and incompetent from its very imperfect knowledge of the evidence upon which it was called to decide, to pronounce a final judgment that night, upon a subject of so much importance? He could assure the friends of the noble marquis, that never was there any thing less calculated to give satisfaction to the public mind than a decision upon such principles; and those men who could delude themselves into a supposition, that such a decision could have any other than a bad effect, must judge very ill indeed of public opinion in this country.

Mr. Paull said, it was not his intention to have trespassed upon the attention of the House that night with a single word on the subject; but feeling it necessary to say something in answer to the charges of delay and procrastination imputed to him by a right honourable and learned gentleman (the Master of the Rolls), he rose to vindicate himself from an imputation so unfounded. His first motion for papers was on the 25th of June, 1805; and it was not until the 20th of May last, that any of the criminating documents were laid before the House. For the truth of this he appealed to the House; and he appealed also to the noble lord lately at the head of the board of controul, whether he had not been incessant in his applications to him to forward the production of papers in his department; and whether the noble lord had not told him, in March last, that it was a matter of question and doubt whether some of the papers for which he had moved, and those the most important, would be produced at all. As soon as he could obtain the chief papers for which he had moved, in five days afterwards he laid his first charge upon the table; but there

were many other papers for which he had moved, which were not produced to this day—papers to prove the most exorbitant and extraordinary demands upon the Nabob of Oude, to the amount of 300,000*l*. He moved for the accounts six different times; and all that he had yet been able to obtain, from all the diligence that could be used at the India-house, was a return respecting the 27th light dragoons, which he found to be a most false and exaggerated account. He had said to the House, that he would be ready to bring forward his charge on the 10th June; but the noble lord had taken it out of his hands, and proposed to bring it forward on the 18th. This precluded him from moving a single step until the 18th, when he moved for the oral evidence, which was not concluded, with the examination of Sir James Craig, until two days since, and which was not until last night in the hands of members. Having therefore vindicated himself from the charge of delay and procrastination, he hoped the honourable and learned gentleman (Master of the Rolls) would retract what he had said. But with respect to the subject itself, he conjured the House to consider deliberately, before they precipitated a decision upon a question of so much importance. If Marquis Wellesley's reputation was the only question at stake, he should not wish to delay the decision of the House for a single moment. He disclaimed all personal enmity to the noble marquis, who had never done him an injury; he disclaimed all obligation to him, as never having received any favour at his hands, save an act of justice which it was his duty to render as chief governor of India. But it was not the reputation of the noble marquis, but the fate of India that depended upon the decision of the House; and that ample and impartial justice should be done, was of the utmost importance to every British interest in that quarter of the globe; for it was of the first necessity for the British Parliament to shew, whether they were the guardians of the rights and liberties of British subjects in India, or the protectors of Lord Wellesley. For his own part, he had done his duty in bringing forward those charges, and the evidence to support them; and no man could say he was ignorant of the grounds on which he had brought them forward, or the testimony upon which they were to be sustained. India looked anxiously to the issue of this question, and he hoped would bless the day on which the enquiry was instituted. He hoped they would be enabled to ascertain by the decision

sion upon this question, whether the faith of treaties was to be maintained inviolate or not? to which faith they had witnessed the most honourable adherence under the administration of that ever-to-be-lamented nobleman, Marquis Cornwallis; but he would call upon the House to look at the situation of India from the accursed day when Marquis Wellesley first set foot there until the hour of his departure, during which time it continued a perpetual scene of rapine, of oppression, of fraud, and cruelty, which goaded the whole country into a spirit of revolt. He had brought forward his charges against the noble marquis in the face of England. He sought nothing but impartial justice, and he hoped Parliament, for its own sake, would decide with the maturest deliberation, and in a full House.

Mr. Perceval said, he understood the honourable member who brought forward this charge, to object that the House should be the judge of the fittest time to form its own decision upon the subject, and to say he would entirely withdraw himself from any interference in discussing the subject, unless he was to be the judge of the fitness of the time for the decision. In such a case, he (Mr. Perceval) was of opinion the honourable member would abandon the duty he had undertaken, and incur the blame of any erroneous decision to which the House might be led without the light which he was enabled to throw upon the subject. If the honourable member, however, would pledge himself to bring forward the investigation at any future day during the present session of Parliament, at any reasonable distance, when he should have his thoughts better arranged upon the subject, he, for one, should not object to adjourning the further proceedings to such a day; and therefore he requested to know the honourable member's determination?

Mr. Paull declared he had not the most distant wish for delay; and that, if the remaining papers were produced for which he had moved respecting six British regiments in India, and which would furnish proofs of the most exorbitant and inconceivable extortion upon the Nabob of Oude, he would be ready to go on with the charge next day or in a week, just as the House should choose; but recollecting the delays and disappointments he had already experienced, he would not pledge himself to any particular day, until the papers were before the House.

Mr. William Smith applauded the prudence of the honourable member on this ground, and commended his candour;

dour; he thought the friends of Marquis Wellesley could not do any thing more inconsistent with their own views, for vindicating the honour and innocence of that noble lord in the eyes of the public, than pressing the House to a decision, without having before them the whole of the evidence, and deciding upon the fullest deliberation.

Sir Arthur Wellesley declared, that nothing could be more opposite to the wishes and feelings of himself, or his noble relation, than that the House should decide upon this charge, without having before them all the testimony the honourable gentleman wished to adduce; but as he had reason to believe that the documents which he had mentioned as the cause of delay really were not in the India-house, and had never been returned from India, he hoped, if the House should be satisfied of that fact, by those gentlemen now present who were officially competent to give information upon the subject, and that no such documents were to be expected, that the House would no longer defer its decision: more especially as it was the declared opinion of a right honourable gentleman (Mr. Fox) that if a decision should not take place within the ordinary duration of the session, an address should be moved to his Majesty, for prolonging the session for that purpose.

Mr. R. Thornton feeling himself thus called on, said he could not speak with accuracy as to the precise documents moved for being at the India-house; but he rather believed some fresh documents would be found there, and that the House ought not to proceed to final decision until further search should be made.

Mr. Wellesley Pole supported the argument of his honourable relation, and wished to have a clear answer from some of those gentlemen who had been in the India direction, as to the existence of such returns.

Mr. Paull was not desirous of the returns of the strength of those six regiments. He only wished for the accounts of the sums charged as paid to them; and was confident such returns must have been made to the directors.

Mr. Grant said, that though he was not now in office, he was fully confident the accounts of pay must be in the India-house; but that the order for furnishing the returns of the strength of the regiments ought to have been directed to the War-office, where they would be found. He was for proceeding with the utmost deliberation upon a subject, whereon hung the fate of India. He thought the House could

could not, in so thin an attendance, comprising so many of the noble marquis's friends, and at so late a period of the session, come to a decision, consistently with the decorum which belonged to its deliberative justice; but that, if a decision was to be pressed upon the subject, there ought to be a call of the House, for which he, as one, should vote.

Lord Castlereagh objected to the delay, on the ground of the production of the papers, because when on the table they would supply no materials in support of the charges.

Dr. Lawrence spoke to order. The papers referred to had been applied for six several times, and it was much too late now to contend that they could be of no utility.

Lord Castlereagh vindicated his own argument.

Mr. Henry Martin, Mr. Burton, Sir Arthur Wellesley, Mr. Paull, Mr. Creevey, Mr. Johnstone, and Sir John Newport, made a few remarks on the testimony to be expected from these documents.

Sir Samuel Romilly said, the question was not if the decision upon these charges were to be deferred until the next session, but if the House would proceed that day to determine on an accusation, in which the honourable gentleman (Mr. Paull) says, he is not prepared to advance: so that the true enquiry was, if in this stage of the business the matter were to be taken out of his hands, in the absence of the information of which the House ought to be possessed in order to form its opinion. He could perfectly understand such an attempt, if this were a case of vexatious delay; but was this the complaint? The papers required were not obtained until the 20th of May; on the 25th of that month the charge was brought; on the 28th it was printed, and the evidence was only closed on Friday last; even at that moment the written testimony called for was not on the table, although the application was made for what is yet deficient as early as the 5th of June. Who could then seriously assert that there had been any unnecessary procrastination on the part of the honourable gentleman? But it was said by the friends of the noble marquis, that from their knowledge of the documents sought, they would not at all conduce to support the charges. Were not others to obtain the same information, in order to satisfy their minds and come to the conclusions to which such premises should lead? If, by the endeavour now made, the noble marquis should be acquitted, it would be such an acquittal as would afford him very little consolation; he was, it was to be presumed, an innocent man,

man, and if he were so, justice to him required that this subject should be dismissed in a very different way; but it was not only justice to an individual that demanded it, it was justice to the collective body of that House, that required that no such precipitate decision should be formed; and the honour and character of the House were immediately concerned in the present proceeding.

Mr. Hutchinson, Lord Temple, Mr. Fonblanque, and Mr. Paull, said a few words.

Mr. Wellesley Pole was proposing some questions to Mr. Paull, on the evidence he required, when he was called to order by

Lord Folkestone, who said that this mode of catechising an honourable member was very disorderly.

The Speaker observed, that the noble lord was perfectly correct in the point of order, but that it was not unusual, under particular circumstances, to depart from the strict point of order in respect to personal feelings.

Mr. Wellesley Pole explained: and after some remarks from Mr. Secretary Windham, Mr. Courtenay, and Mr. Perceval,

Lord Folkestone withdrew his motion.

After a long conversation between Lord Temple, Mr. Secretary Windham, Mr. W. Smith, Dr. Laurence, Lord Archibald Hamilton, Lord Folkestone, Mr. Hobhouse, Lord Ossulston, Sir Arthur Wellesley, and Lord Henry Petty, it was agreed that the House would, on Friday next, resolve itself into a committee on the charges against Marquis Wellesley.

Mr. Paull said, he should not proceed to the question without a call of the House.

Lord De Blaquiere represented the extreme inconvenience with which such a proceeding would be attended, and that it would unavoidably postpone the decision to another session.

After some interlocutory observations between Mr. Rose, Lord Temple, and Lord Morpeth, on the motion of the former it was ordered that the West India trade bill be read a second time on Tuesday next.

On the motion of Mr. Hobhouse it was directed, that the returns on certain regiments of Bengal troops be made forthwith.

The House went into a committee on the tile duty bill; also on the bill imposing stamp duties on lottery offices,

which, on the proposition of Mr. Vansittart, are to cease and determine, and a duty of 50*l.* on licences for lottery-offices was to be substituted in their room.

The report was ordered to be received the next day, and the House being resumed, it was agreed that on Monday it should go into a committee on the grant to Lord Rodney's family. Adjourned.

HOUSE OF COMMONS.

SATURDAY, JULY 5.

The Speaker attended at four o'clock, and counted the House; when twenty-four members only being present, an adjournment immediately took place.

HOUSE OF LORDS.

MONDAY, JULY 7.

Judgment was given on the motion of Lord Ellenborough, in the appeal, "Graham *v.* the Countess Dowager of Glencairn," affirming the decree of the Court of Session, with 100*l.* costs.

In the appeal "Rennie *v.* Tod and others," the Lord Advocate of Scotland and Mr. Adam were heard for the appellant. Further hearing the next day.

Mr. Hobhouse and several other members of the House of Commons brought up the training bill, and the militia ballot bill, which were read a first time, and ordered to be printed on the motion of Earl Spencer, who gave notice of his intention to move the second reading of the training bill on Thursday next, for which day the Lords were ordered to be summoned.

The customs' fees bill was read a third time and passed.

The Irish spirits duty collection bill, the assessed taxes allowances bill, the Irish customs bill, and the Irish poor bill, were read a second time and committed for the next day.

The Earl of Suffolk said a few words respecting the situation of the poor in England. This subject had, he said, been taken up by an honourable gentleman (Mr. Whitbread) in the other House, but he nevertheless intended to lay a plan before their lordships which he had formed for the better relief of the poor.

Lord Walsingham reported the debtors' relief bill; the amendments to which were agreed to.

Earl Fitzwilliam presented, by his Majesty's command, the papers respecting India, moved for on Tuesday by the Earl of Westmoreland, in the absence of Lord Melville.

Adjourned.

HOUSE OF COMMONS.

MONDAY, JULY 7.

On the motion of Mr. Alderman Prinsep, the Smithfield market regulation bill was read a second time, and ordered to be committed to a private committee.

Mr. Vansittart brought in bills for consolidating the land tax acts, and for augmenting small livings to the clergy out of the land tax; also, for an issue of exchequer bills, on the credit of the aids granted or to be granted for the year, both of which were read a first time, and ordered to be read a second time the next day.

Mr. Peter Moore postponed the consideration of the report relative to the calico printers' bill till the next day.

In a committee on the silk laws, a regulation was proposed by Mr. Vansittart, and agreed to, granting a bounty of 33*l.* 6*s.* 8*d.* per cent. on the exportation of all silk manufactured in this country, as specified in the act of George I.

Report the next day.

Sir John Sinclair presented a petition from the commissioners of the northern lights, praying for aid, to which Mr. Vansittart signified his Majesty's concurrence.

He then presented another petition from the same commissioners, for leave to bring in a bill for granting a sum out of the consolidated fund, for the erection of a light-house on the Bell, or Cape Rock. The Marquis of Douglas, the members of the northern counties of England, and the members for Scotland, were appointed as a committee to prepare and bring in the bill.

On the motion of Sir J. Sinclair the accounts presented to the House of the vessels navigating to and from the parts near the intended erection, and the report of the former committee on the same subject, were referred to the committee appointed to prepare the bill.

Mr. Fellowes gave notice for the next day of a motion relative to the non-resident clergy.

The report of the committee on the lottery acts was agreed

agreed to, and it was ordered to be an instruction to the committee on the lottery bill to introduce provisions accordingly.

The report of the resolutions of the committee on the excise acts was also agreed to, and similar instructions given to them as to the committee on the excise duty bill.

In a committee on the Irish revenue acts, a resolution for their farther continuance was agreed to. Report the next day.

Earl Nelson's annuity bill was brought in, read a first, and ordered to be read a second time the next day.

The report of the postage bill was agreed to, and the bill ordered to be read a third time the next day.

The quarantine bill was read a second time, and ordered to be committed the next day; as was also the oil of vitriol bounty bill.

The House went into a committee on the expiring laws. Ordered to be reported the next day.

The House then went into a committee, in which it was resolved that French wines in bottles or in flasks be permitted to be imported from Ireland into Great Britain, in British or Irish ships. Report the next day.

In a committee on the Newfoundland fishery acts, it was resolved that salted or pickled salmon be imported free from duty into the islands of Guernsey and Jersey, from Newfoundland and Labradore; and that a bounty of three shillings per quintal be allowed on all salted cod imported into these islands from the same places. Report the next day.

In a committee it was resolved that masts, yards, and bowsprits, the growth and manufacture of British plantations in North America, be permitted to be imported into this country, duty free, in British and Irish ships. Also, that fruit, wine, oil, salt, &c. the produce of those plantations, be permitted to be imported into this country from Malta and Gibraltar direct. Report the next day.

On the motion of Mr. Francis, after a few words from Mr. Carr, the insolvent debtors' bill was read a second time, and ordered to be committed the next day.

The Irish road amendment account bill was read a third time and passed.

The inspector general of imports and exports presented an account of the quantity of corn and grain imported and ex-

ported to and from England and Ireland, for the last five years. Ordered to be printed.

In a committee on the customs bill, resolutions were passed allowing the importation of raisins and figs from Ireland duty free. Also allowing gunpowder and arms to be imported from Ireland duty free; extending the provisions for warehousing to other articles than those specified in the act; and declaring that the additional duty of fifteen per cent. does not extend to refined sugars under the act of the 44th of the King. Report the next day.

The Master of the Rolls brought in bills for augmenting the salaries of the masters of chancery, and for providing for those who should be allowed to retire from the execution of that office. Also for encreasing the salaries of the clerks in the accountant's office in the court of chancery, and for providing salaries to additional clerks. Both of these were read a first time, and ordered to be read a second time the next day.

He also obtained leave to bring in a bill for the better support of the sworn clerks and solicitors in chancery.

Mr. Whitbread postponed his motion on the report of the committee appointed to examine the journals of the House of Lords relative to the trial of Lord Melville, and his consequent motion for leave to bring in a bill for better regulating the office of treasurer of the navy, till Friday.

Mr. Foster obtained leave to bring in a bill for better providing for the expeditious conveyance of letters by post in Ireland.

On the motion of Sir John Newport the House went into a committee on the grain intercourse bill.

Sir William Curtis objected to the clause by which an average between the rates for importation and exportation, established in Great Britain and Ireland, was settled as the rule by which they were in future to be regulated; which, he contended, would, by a side wind, be overturning the corn laws of Great Britain.

Mr. Foster did not approve of omitting the clause; but, on the whole, thought it better to postpone the measure till a fair average could be struck, for which he thought the House was not at present in possession of sufficient materials.

After a pretty long conversation, in which Mr. Western, Mr. Perceval, and Lord Castlereagh, coincided with Mr. Foster, and Lord Henry Petty, Sir J. Newport, Lord A. Hamilton,

Hamilton, and Mr. Parnell, the gallery was cleared. But we understood that the division did not take place on the clause, but on the question for the chairman's leaving the chair, when the numbers were—For the bill 52—Against it, 48—Majority, 4.

The report was then ordered to be received the next day.

A message was received from the Lords, stating, that their lordships had agreed to the customs fees bill, and certain private bills.

Sir Henry Mildmay asked whether it was the intention of the right honourable secretary of state (Mr. Windham) to make any proposition to the House this session respecting the volunteer officers?

Mr. Windham replied that it was his intention to move, the next day, for leave to bring in a bill relative to volunteer officers.

Sir Henry Mildmay then gave notice that he would on Friday next submit a motion to the House on the subject of the volunteers.

OUDE.

Mr. Paull presented the supplementary charge on the subject of Oude, and moved that it should be printed.

Sir Arthur Wellesley asked whether it was the intention of the honourable gentleman to make any more motions relative to Marquis Wellesley this session? He wished to ascertain this as he had other duties to perform, and was desirous of getting away as soon as possible. He would not object to printing the charge.

Mr. Paull stated that it had always been his intention to come at a decision on the Oude charge this session if possible. But he had been at the India house, and found that accounts of great importance could not be made out in less than eight or ten days. He would therefore give no pledge to proceed this session. But he would certainly be ready to proceed on the second or third day of next session. It was also his intention then to prefer a charge relative to the transactions in the Carnatic, as this subject had been abandoned by a right honourable gentleman (Mr. Sheridan) whom he saw in his place.

Mr. Wellesley Pole said that it was very natural for the Marquis Wellesley and his friends to wish to have the decision this session. But when they proposed to have come to a decision the other night, they were not acquainted with the

the circumstance that the honourable gentleman wanted, what he considered as material evidence. On inquiry at the India house, he was given to understand that the accounts could not be made up in less than two months. It could not, therefore, be expected that the House should decide on the Oude charge this session. He asked whether the honourable gentleman had any more evidence to move for, respecting this charge? If he had, he hoped he would move for it this session, that the House might be ready to decide at the beginning of the next.

Mr. Paull stated that he had only a few papers to move for, which might be prepared in a few hours.

Mr. Sheridan begged leave to trouble the House with a few words in consequence of his having been accused by the honourable gentleman with having abandoned the subject of the Carnatic, and hinted that this had been done since he had come into administration. The fact was, and he thought the honourable gentleman might have known it very well, that he had abandoned that subject when Lord Powis was appointed, or understood to have been appointed, Lord Lieutenant of Ireland. But he had not abandoned his opinion respecting these transactions, and when the honourable gentleman brought the affair forward, he should have his support. But his charge was against Lord Powis, and not against Marquis Wellesley; and he must say that it was somewhat singular that the honourable gentleman, who must have known this at the beginning of the session, had not come forward with this charge when he had the materials prepared to his hand.

After a few words from Mr. Paull, Sir Arthur Wellesley, and Dr. Laurence, the charge was ordered to be printed.

Mr. Windham presented a petition from the Veterinary College, praying for public aid. Ordered to lie on the table.

Lord Castlereagh moved, by address, for a copy of the third report of the commissioners of naval revision. Agreed to.

Lord Henry Petty brought up the surveyor-general of woods and forests office regulation bill. Read a first and ordered to be read a second time the next day.

Mr. Paull moved for an account of the expences of the 27th light dragoons in India from 1798 to 1801, and for copies of letters that passed between Colonel Scott, the resident

sident at Lucknow, and Marquis Wellesley, relative to the excursions of the Nabob Vizier in the Decan. Ordered.

In the committee of supply Lord Henry Petty moved, that 4,715*l.* 11*s.* 5¼*d.* should be granted to his Majesty, to make good the like sum which had been issued pursuant to addresses of the House, and not made good. He also moved that 2,400,000*l.* should be granted to his Majesty to enable him to take such measures as the exigences of affairs might require. In this, however, he stated, that one million of arrears of subsidies was to be consolidated. He likewise moved that 600,000*l.* be granted for the exigences of Ireland. These resolutions were agreed to. Report the next day.

In the committee of ways and means,

Lord Henry Petty moved, that towards the supplies granted to his Majesty the sum of 3½ millions should be issued from the consolidated fund, being the surplus of that fund up to the 5th of April, 1807. In order to shew the sufficiency of the ways and means to meet the supplies, his lordship, for the convenience of the House and the public, entered upon a statement of the supplies and ways and means of the year. He first stated the particular votes of supply, under the heads of the army, navy, ordnance, arrears of subsidies, vote of credit, miscellaneous services, &c. from which it appeared, that the sum actually voted as the joint charge of England and Ireland was 43,500,000*l.* The addition of the votes for the separate charge of England, raised the total supplies to 48,530,806*l.* 6*s.* 11¼*d.* Deduct from this two-17ths of 43,500,000*l.* being the Irish proportion of the supplies, and 160,000*l.* being the Irish proportion of the civil list, and the total supplies for England will be 43,252,000*l.* His lordship then stated the ways and means, under the heads of the war taxes, loan, malt, &c. which in all amounted to the sum of,

	£43,482,000
Supplies - - - -	43,252,000
Surplus of ways and means - -	£ 230,000

The additional pay to be granted to the army, however, would take up about 150,000*l.* of this sum, but there still remained a considerable surplus. His lordship then proceeded to state the produce of the war taxes in different quarters of 1805-6. The resolution was then agreed to, and the war taxes voted. Report the next day.

Lord

Lord Henry Petty afterwards moved that the House should go into a committee on the message relative to Lord Rodney's pension.

In the committee his lordship adverted to the liberal provision which had been made for Admiral Lord Rodney. Owing to the premature death, however, of the late Lord Rodney, the pensions had not been so long enjoyed as was in the contemplation of Parliament. He therefore concluded by moving, that 1000*l.* Irish currency, be annually granted out of the consolidated fund of Great Britain to George, the present Lord Rodney, for life.

Lord Folkstone saw no reason for this vote, and besides, it seemed to proceed on the principle that when pensions were granted for a certain number of lives, if these happened to be short ones, the pensions were to be renewed.

Lord Henry Petty thought that under all the circumstances, in point of policy and liberality, there could be no objection to this motion.

Lord Castlereagh concurred with the noble lord; after which the motion was agreed to. Report the next day.

Lord Henry Petty gave notice of his intention to move in the committee of supply on Wednesday for compensation to the naval, military, and land tax commissioners.

NABOB OF ARCOT'S DEBTS.

Mr. Hobhouse moved the second reading of the Nabob of Arcot's debts bill.

Mr. Francis adverted to the importance of this subject. He would take a view of some of the most material points, however, that he might not tire the patience of the House. The claim amounted to 9,200,000*l.* on the revenues of the Carnatic, a sum said to be due from the nabob to individuals. Of this 3,658,000*l.* had been already paid. From the amount of the claim, one would suppose that the moneyed men of Change-alley had gone to India to lend their money to the native princes. After thus stating the amount, he adverted to the situation of the East India Company's finances, which certainly were not in a flourishing state, and were little prepared to meet such a demand as this. Here he alluded to the late treaties concluded in India, which, though he was fond of peace, appeared to him to contain dangerous concessions, under the circumstances. They were certainly concluded in a very private and precipitate manner, and he suspected that Sir G. Barlow was forced to

conclude them from want of money to carry on the war. He next adverted to the situations of many of those who made very considerable claims. He mentioned Lawrence Sullivan, a chairman of the court of directors, with several other persons holding high situations on the India establishment. This threw considerable suspicion on their claims. He said that the nabob must have foreseen the loss of the territory, and therefore gave as many orders upon its revenues as those who had any influence in our Indian government might ask for. He contended that this was a public transaction, and that therefore, instead of sanctioning an agreement made between the directors and creditors, Parliament ought to take the affair into its own hands. The honourable gentleman was decidedly of opinion, that the revenue of India was insufficient to defray the expences attending its government; and this would, he had no doubt, be in a very few days openly stated to the House. The deficiency, therefore, augmented by the consequences of this bill, must be supplied by the finances of this country; and of course that should urge the House more carefully to inspect the affairs of India. With a view to afford the opportunity for careful inspection upon this subject, he proposed that the bill should be read a third time that day three months. In the interval gentlemen, and his Majesty's ministers particularly, might inquire into all the circumstances of this case, and become better prepared for the discussion next session. To this delay no fair creditor could object, for none such were likely to suffer from investigation, only tending to separate their claims from the mass of collusive creditors and fraudulent claimants who now came forward.

Mr. Sullivan explained the manner in which the nabob under consideration had become indebted to his kinsman, to whom the last speaker thought proper so particularly to allude. The Mr. Sullivan referred to, who was chairman of the India Company, being in competition with Lord Clive for power in India, lent India stock to Col. Maclean, in order to qualify the Colonel to vote at the India House, and in support of his interest. This Maclean afterwards went to India, and entered into the service of the Nabob of Arcot, in which service he died. At his death he remained in debt, for the amount of the India Stock, to Mr. Sullivan, through whose interposition with the nabob, that prince was induced, through respect for the memory of a

faithful servant, to give a bond for the debt, and that bond formed the claim which the heirs of Mr. Sullivan now advanced. Upon this transaction, therefore, the honourable gentleman contended that there was not the slightest ground to attach the imputation of fraud.

Lord H. Petty, although he concurred in almost all the observations which the House had heard from the honourable gentleman who spoke last but one, was still adverse to his conclusion. Upon the honourable gentleman's own admission there were several *bona fide* claims; and surely to ascertain such, and separate them from the fraudulent, was a very desirable object, of course a fair ground for inquiry. As to the concluding proposition of the honourable gentleman, there hardly ever was an instance where fraudulent claims did not derive advantage from delay, while it must obviously serve to inconvenience, if not to distress, those whose claims are just. He therefore felt himself under the necessity of opposing the honourable gentleman's proposition. His wish was that the enquiry should go on as speedily as possible. At the same time, however, that he expressed his readiness to support this bill, he would beg it to be understood, that his support arose from an expectation that before it passed it would undergo considerable alteration and amendment. In the committee he should think it necessary to have some clauses introduced, to provide that no agreement should be deemed valid under this act which was not so considered before; also that one or more additional parliamentary commissioners should be appointed to assist the other commissioners at the proposed enquiry; and also that the proceedings of the commission should be annually reported to Parliament. These alterations the noble lord was persuaded would conduce much to render the measure acceptable, and also to promote the ends of justice.

Mr. Francis and Mr. Sullivan mutually explained.

Mr. Grant considered the existing agreement between the India Company and the creditors under discussion, perfectly legal and binding unless superseded by a superior power. With regard to the nature of the claims alluded to, his opinion was, that although they amounted to 5,600,000*l.* they would be, upon investigation, reduced to one-fourth of that sum. The clauses proposed by the noble lord, he did not think material.

Sir A. Wellesley, in supporting the bill, took occasion to

to allude to the remarks made upon the recent conduct of Sir G. Barlow. The treaties concluded by that respectable person were, he had no doubt, perfectly justifiable under all the circumstances of the case. He was indeed persuaded that the worthy baronet acted as well as could be required or expected in his situation, and that his treaties were as likely to produce a lasting effect as any other treaties in India. But in point of accuracy those compacts were not in fact to be denominated treaties, as they were nothing more than arrangements made under the measures of the treaty which he himself concluded before he left India, and since then he had never heard of any war with Holkar. He rather thought it would appear that Sir G. Barlow had acted in consequence of instructions from home.

Mr. R. Thornton took upon himself to say that the Court of Directors highly approved of the conduct of Sir G. Barlow. That the treaty complained of by the honourable gentleman who opened the debate was such as ought to have been made, that it was a wise measure, and would prove conducive to the purposes of peace and the interests of the India Company; that such were the sentiments of the India Company would appear, he could safely prophesy, from the result of the question fixed for discussion at the India house on Wednesday next. The honourable member added that Sir G. Barlow acted in strict conformity to the principles upon which Lord Cornwallis was to have proceeded, and also in compliance with instructions from home. Therefore he was sure the worthy Baronet would prove to have deserved the best thanks of the India Company, and also of his country.

Dr. Laurence commented upon what he had no hesitation in terming the scandalous mode in which the debts to which the bill referred were originated; and particularly upon the claim of Mr. Sullivan, which, as it appeared from an explanation of that evening, arose out of the desire of this Mr. Sullivan to create an undue influence at the India house. It was an insult to the understanding of the people of England, or of the India Company, to call on them to pay such a claim. What had they to do with it? And yet the honourable gentleman who gave the explanation, seemed to feel quite satisfied of its equity. The agreement alluded to by the honourable director (Mr. Grant) was not, he was certain, at all such as that honour-

able director described. In fact, it was not legally binding unless sanctioned by Parliament.

Lord Castlereagh did not think the interference of Parliament at all necessary to appoint commissioners of inquiry in this case. Such interference did not take place with respect to the claims of the American loyalists, nor in any instance similar to the present; and he could see no reason for the proposition at present. The noble lord contended against the authority of the learned Doctor, that the agreement referred to by him was perfectly legal. It was concluded between parties in every respect competent to enter into it; and under that agreement those parties might have gone on to the determination of the whole case, without resorting to legislative sanction.

Mr. Henry Martin stated, that the public had a direct interest in the revenue of the East India Company, to the amount of 500,000*l.* annually. Neither the Board of Controul, nor the Court of Directors, therefore, could have any legal authority to interfere with a measure, which might naturally affect the interests of the public.

There being a great cry for the question,

Mr. Hobhouse rose, and said that he would not long prevent the House from coming to a decision upon this very important question. The lateness of the hour, and the able manner in which the bill had been supported by those gentlemen who spoke in its favour, were strong motives with him for brevity. He must, however, advert to a topic or two of a personal nature, and when he had explained himself, it would, he believed, be seen that he had not, without good cause, requested the indulgence of the House.

The honourable gentleman who opened this debate (Mr. Francis), had stated that he (Mr. Hobhouse), was understood to have had some scruples about accepting the office of a commissioner under the articles of agreement which had been concluded between the East India Company and the creditors of the late Nabob of the Carnatic, and upon which this bill was founded. The same observation was before made by the honourable gentleman in a former debate; and it seemed to convey that he (Mr. Hobhouse) had at first an objection to take upon himself the character of a commissioner from a disapprobation of the agreement before alluded to, or of some proceedings adopted by the parties, but that afterwards his scruples had been overcome.

come. This certainly was not the fact. About the end of August 1804, between three and four months after he had resigned his office of chief secretary to the board of control, he was applied to by the parties, and requested to undertake the duties of a commissioner for investigating the Carnatic debts. His answer was, that he felt himself flattered by the selection of him for so important, arduous, and delicate a trust, but he hoped to be allowed a few days for the purpose of considering whether his other avocations would allow him to accept it. Finding, after due consideration, that his other occupations would not prevent him from devoting sufficient time to the undertaking, he readily consented that his name should be inserted in the commission. He begged the House to believe that he never hesitated about accepting the situation which he now held, from an idea that there was any thing objectionable in the transaction in which it originates. He was anxious that this matter should be clearly understood by the House and the country. He did not impute to the honourable gentleman intentional misrepresentation. He could account, he imagined, for the error into which the honourable gentleman had fallen. In opening the business to the House, when he (Mr. Hobhouse), moved for leave to bring in the bill, he had said that he felt an unwillingness to be the mover of the measure, because there was something awkward in soliciting greater powers to be given to a commission of which he was himself a part. It was equivalent to a request, that stronger authority should be placed in his own hands. This objection to his being the conductor of the bill through the House he stated to the respective parties to the articles of agreement, who contended that a commissioner having experienced the difficulties arising from the defect of power, was the most fit person to explain those difficulties to the House. He yielded to this reasoning and urgent intreaty (whether properly or not the House would judge), and undertook to perform what he was conscious would have been better placed in any other hands. The honourable gentleman, unfortunately, could not be present upon the motion for leave to introduce the bill; an imperfect representation of his (Mr. Hobhouse's) speech on that occasion may have been the cause of his mistake; nor were those gentlemen less mistaken who represented that a commissioner was chosen by each of the parties, and the third was to act as an umpire when

when the other two disagreed in sentiment. This was the original idea, but an alteration was afterwards made; all the three commissioners were chosen by the concurrent voice of all the subscribers to the agreement, and they were at all times employed together. Two were not constantly sitting, and a third occasionally consulted. He was not the nominee either of the creditors or the court of directors, but the choice of both those parties. The same was true with respect to his colleagues. He was desirous of calling the attention of the House to another part of the speech of the honourable gentleman who opened this debate (Mr. Francis), because it related to a point upon which it was highly important to himself as a commissioner that he should not be misunderstood. He conceived the honourable gentleman to have stated that, when he (Mr. Hobhouse) moved for leave to bring in the bill, he had maintained the doctrine, that the nabob's allowance of the justice of a claim was sufficient to entitle it to payment. If the quotation from his speech which had been read by the honourable gentleman favoured any such doctrine, it might be extracted from an incorrect representation; if, however, his speech on that day actually conveyed such a notion, the words must have been unguarded and ill suited to his purpose. His intention was to avoid the statement of any principle by which his conduct as a commissioner ought to be regulated. His determination was not to commit himself as to the constituent grounds of the validity or invalidity of any set of claims. He hoped that he had now sufficiently protected himself from misconception. Into the merits of the measure he did not mean to enter; it was perhaps more fit that others should argue it than himself, who was a commissioner. It would indeed be said to be a very bad compliment to those honourable members who had spoken so ably in support of the bill, for him to undertake the defence of it. The motives which had induced the commissioners to call upon the parties to bring forward the present bill, were too obvious to be mistaken. Had they been easy men, had they been lax in their morals, had they leaned towards the creditors, this application had never been heard within the walls of Parliament. It was because they were desirous of discharging their duty in a conscientious and impartial manner, of separating the fictitious from the fair creditor, of hunting iniquity through all its mazes and devious paths, of allowing

lowing no one claim but what was clearly founded in equity and honour; it was for these reasons that the present bill was submitted to the consideration of the House. The great object of the bill was to furnish the commissioners with power to examine upon oath, and to subject the party breaking it to the penalty of perjury. He was free to say that from those who viewed the claims in the most unfavourable light he expected aid rather than opposition. If they thought that most of the debts were fraudulent and unjust, why were they reluctant to arm the commissioners with such a degree of authority as would enable them to detect fraud and injustice? He would, however, keep his word with the House, and though many observations pressed upon his mind, he was resolved not to be led into greater length; he would trespass no longer upon the attention of the House.

After some further conversation the gallery was cleared for a division, but the bill was read a second time by the general assent of the members present.

Mr. Hobhouse obtained leave to bring in a bill to regulate the duties on malt.

The linen drawback bill was ordered to be read a third time the next day.

The other orders of the day were then postponed, and the House adjourned at half-past twelve o'clock.

HOUSE OF LORDS.

TUESDAY, JULY 8.

In the appeal "Rennie v. Tod and others, Mr. Alexander was heard for the respondent. Further hearing the next day.

The debtors' relief bill was read a third time, and passed.

Mr. Baldwin, and several other members of the House of Commons, brought up the Irish roads bill, and some private bills, which were read a first time.

The Irish poor bill, the Irish spirit duties collection bill, the Irish customs bill, and the assessed taxes allowances bill, passed through committees and were reported.

The second reading of the slave ship limitation bill was postponed till Thursday.

SITUATION OF INDIA.

The order of the day having been read, for the Lords to be summoned to attend this day, the Lord Chancellor called upon Lord Melville.

Lord Melville rose, and spoke to the following effect:—My Lords, I regret much, that the House is not in possession of those official documents which would enable us clearly to see our way in the discussion of the important subject to which I think it my duty now to call your Lordships' attention. For want of these we are obliged to grope in the dark, and take the prevailing rumours as the grounds of our arguments. I shall first, however, be obliged to give some kind of historical account of the transaction on which the discussion of this night will principally turn.

When Lord Cornwallis had undertaken the government of India, and when in his zeal for the public service, he left the banks of the Ganges, and made a distant journey for the purpose of giving effect to the negociations for peace, Sir George Barlow, considering the delicate state of his Lordship's health, and the danger he exposed himself to in his country's service, thought it proper to quit the seat of government, in order to assist his lordship in the negociations; and in case of that event taking place, which has since happened, to receive his dying instructions, and to carry them into effect without delay. Sir George Barlow had then for his instructions not only the system which Lord Cornwallis actually pursued, but the orders of the Court of Directors, and the instructions given to General Lake on the 19th of September. The general principle of the negociation with the native powers, as also the system of retrenching unnecessary expenditure, was begun by the Marquis Cornwallis, and was afterwards pursued by his successor, Sir George Barlow. Such was the situation of India, as it was known in this country upon the 29th of January last, when his Majesty's ministers with great wisdom and propriety, considering that it was not proper to leave India without the full benefit of those powers of government which had been always confided to Governors-General, recommended to the court of directors to give those powers to Sir George Barlow, in order that he might not be fettered either in conducting the negociations, or in carrying on the government in India. With this recommendation,

mendation, the Court of Directors readily and cheerfully complied. No appointment was ever less complained of, and no dispatch had since been received from India that did not convey the most sanguine expectation of success, from the measures pursued by the successor of Marquis Cornwallis. The appointment, in consequence of the recommendation of his Majesty's ministers, was made on the 25th of February, and upon the 8th of March the Court of Directors received an intimation of the wish of his Majesty's ministers that a successor should be appointed to Sir George Barlow. The Court of Directors were very unwilling to comply. They foresaw, or they thought they foresaw, great difficulties and great objections to complying with this intimation. Nothing effectual was done from the 8th of March till the 12th of May, when a communication was made to the Court of Directors, suggesting the recall of Sir George Barlow, and recommending the appointment of a noble Lord (Lord Lauderdale) high in his Majesty's councils. This recommendation did not accord with the ideas of the Court of Directors, and some more delay was occasioned by the correspondence and communications that took place on this subject. At length, at the latter end of the month of May, his Majesty was advised to recall Sir George Barlow, by an instrument under his own sign manual. Since that time it has not appeared that any Governor-general has been appointed, or any step taken to fill up the vacancy in the government of India. In the course of the last day or two, there has been a rumour that a noble lord (Lord Minto) has been appointed; but this rumour is the only thing which the House is now possessed of, instead of that information to which it is entitled upon so important a subject. The intended recall of Sir George Barlow has been, however, notified to India in all the correspondence, both public and private, that has taken place with that country since the beginning of March; and it must occasion great uncertainty with respect to the system of government to be adopted for India, as well as great surprise in those who are best acquainted with the services, the talents, and the zeal of the honourable baronet. It will be now necessary to consider the act of Parliament itself, under which his Majesty was empowered to recall the Governor-general appointed by the Company. It is by the

act which passed in the year 1784 that his Majesty obtained that prerogative, and it will not be foreign from the subject to call the attention of your lordships to the circumstances under which that act was passed. It will be recollected that it was at that remarkable period when the whole country was convulsed with different opinions on the subject of the best mode of governing India. The different systems might be said to be contained in two bills; the one was commonly known by the name of Mr. Fox's Bill, and the other by that of Mr. Pitt's bill. In the latter, however, to which Parliament gave its sanction, the power of recalling a Governor-general, or other officer, was given to his Majesty by an express clause in the bill. If the House will, however, recollect the circumstances of those times, and consider the mode in which those two bills were universally understood at that period, it will appear that it was the general opinion at that time, that the real difference between the bills was a struggle for the patronage of India, whether it should be in the hands of the Crown or of the Company. The opposers of the bill of 1783 (Mr. Fox's bill) contended, that giving the patronage of India to ministers would overturn the independance of the Lords and Commons, and be subversive of the privileges and prerogatives of the Crown. The privileges of 1784 (Mr. Pitt's bill) disclaimed this patronage, and went upon the supposition that the patronage of India might be more fairly and beneficially exercised by the East India Company themselves. I do not now mean to argue, which of those opinions were right or wrong. I merely mean to state, that the opinion of the legislature in the year 1784, when they agreed to Mr. Pitt's bill, was decidedly for leaving the Company the patronage of India. The clause therefore in that act, which first gave his Majesty the power of recalling a Go ernor-general, can never fairly be construed as directly militating against the whole spirit of the act. The most decided sense of the country was then in favour of the spirit of that act, and with this generally prevailing sentiment the legislature concurred; it therefore never could have been the intention of the legislature, that a bill passed in this spirit should contain a clause which was to be at complete variance with the whole object of the bill, and should enable his Majesty's ministers, by exercising at pleasure this power of recall, to gain the entire patronage of India.

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The meaning of the clause is obvious. It only was intended to give the Crown the power of negativing any improper appointment, which partiality might ever induce the Court of Directors to make. The Court of Directors were also checked in that respect by the Court of Proprietors, and there was a most remarkable instance then recent, of the Court of Proprietors having refused to acquiesce in the recall of Mr. Hastings when the Court of Directors had proposed it. It therefore was necessary, that in cases of that nature the government should have the power of recall. I therefore think myself now warranted to appeal to the recollection of every noble lord who remembers the circumstances under which the act of 1784 was passed, whether I have not stated fairly the intentions of the legislature at the time of its passing. I know that as to the merits of the two different bills, there must be a great variety of opinions, and every person must be subject to some particular bias. The noble Lord (Minto) may, probably, be more attached to the principles of the bill of 1783, or Mr. Fox's bill, as it is usually called. On the other hand, I may appeal to another noble lord, whose opinion I may bring forward as a balance in point of authority, and whose bias I must suppose to be in favour of the bill of 1784, from the part he took upon that occasion (Lord Melville here alluded to Lord Grenville). He must know the spirit in which that bill was passed, and whether it would not be contrary to the spirit and meaning of that bill, that any clause of it should be construed as giving the patronage of India to his Majesty's ministers, whenever they should be pleased to insist upon this power of recalling, at their pleasure, those who had been appointed by the Company. It would be contrary to the spirit and to the obvious meaning of the law, if the power of recall should be exercised merely for the purpose of enforcing the appointment of the person whom his Majesty's ministers wished to be the Governor-general of India. The power that the Crown possessed would be grossly abused, if it were applied to any other purpose than what was intended by the law, to the negativing of an appointment made in favour of an improper person. If this be the only fair, rational, and true construction of the act under which India has been governed for the last twenty-two years, then it is incumbent on his Majesty's ministers to shew some cause, why they advised

his Majesty to recall the person whom they had originally recommended to be appointed as Governor-general. For the whole period of twenty-two years, since this act was passed, there was no instance of his Majesty's ministers having exercised this power, and they should be aware that the most pernicious consequences might result from an indiscreet exercise of it. The situation of India now was delicate in the extreme. The negociations which were pending with the native powers, and the retrenchments which were to be carried on, required a Government armed with the usual powers and confidence. If then, at such a time, this power of recall was exercised altogether without reason, and apparently with no other view than patronage, it was enough to irritate the Court of Directors. If, then, the Court of Directors were irritated by such conduct (and it was known, that whim and ill-humour had often influence on the determination of public bodies); if they supposed that this power of recall was exercised capriciously and wantonly, they could find from the words of the law sufficient means of resisting any appointment that his Majesty's ministers might wish to make. I have already stated to your lordships the situation in which India was placed at the death of Marquis Cornwallis, and at the time that Sir George Barlow succeeded to the government; and also that the first act of his Majesty's ministers upon that occasion was to recommend to the Court of Directors the extending the power of Sir George Barlow. On this recommendation there was great joy in Leadenhall-street; for never was there an individual in the service of the Company, whose conduct had received more marked approbation than that of Sir George Barlow, nor did the records of the Company shew a greater number of testimonies of approbation of the conduct of any individual that ever was in their service. The former administration had concurred with the Company in their opinion of his merits; for when Marquis Wellesley was about to depart from India in 1802, Sir George Barlow was the person whom they had named as his successor. When, however, Lord Cornwallis was recommended to supersede Sir George Barlow, the Court of Directors gave no opposition, and he himself readily gave way to the appointment of the noble Marquis. Sir George Barlow received Marquis Cornwallis with open arms, because he knew that his appointment was made merely on public

public grounds, and for the public good: but when it should appear that an appointment was made from other motives, it cannot be expected that it would be acquiesced in so cheerfully. Sir George Barlow most readily joined in all the plans introduced by Marquis Cornwallis, both for securing the tranquillity of India, and for the retrenchments that were to be made in the expenditure. In speaking on that subject, I beg that I may not be considered as giving any opinion on the conduct of a noble Marquis (Lord Wellesley), which is now the subject of conversation. If, upon the appointment of Sir George Barlow, there was much joy and exultation, that joy was quite suppressed, when in ten little days after that appointment, Government intimated their wish to have him recalled. If this were done capriciously, and without sufficient reason, ministers were much to blame; but if it were done for the purpose of seizing the patronage of India, it was worse—it was a direct violation of the spirit and the meaning of the act of Parliament. I have heard it, however, surmised, that in the original recommendation of Sir George Barlow, the government never deceived the Court of Directors, but that they told them at that time, that the appointment was merely temporary and liable to be changed. This appointment, however, which lasted but ten days, would not enable him to do any good, while the suddenness of his recall must be felt by him as a mortification and disgrace. It would have been a very different thing to have left him in a subordinate situation, from what it was to appoint him Governor-general, and recall him after he had been only ten days appointed. It certainly appeared like some disgrace, or as if, in the course of the ten days, ministers had found out something in his conduct that rendered him unworthy of their confidence. The reason would not be confined to the cabinets of Downing-street or of Leadenhall-street, but it would be reported through the metropolis, and the report would reach to India, that Sir George Barlow, in whom they had been accustomed to repose great confidence, was found unworthy to retain the government of India. I should therefore now wish, that the correspondence on the subject between the Directors and the Board of Controul should be laid before the House. It cannot be said to be a secret: not only the twenty-four

Directors, but their children, their wives, their daughters, and their servants, must all of them be acquainted with the nature of this correspondence. As I have no official document to go on, and am obliged to rest upon reports, I must state, that it is also reported that the principal reason for recalling Sir George Barlow is, that it is the system of the present administration that none but men of rank in this country should ever be appointed to the situation of Governor-general in India. I do not know how this doctrine will be relished by the gentlemen in India, who have spent the greater part of their lives in the service of the Company in that country, but I think it never can be taken as a general rule of conduct. If the Governor-general should die in India, it must necessarily follow, that he should be succeeded in the government by the senior of the Supreme Council. This person must, of course, exercise the office of Governor-general until time should elapse sufficient to transmit the news of such decease to this country, and until a successor should be actually appointed. It therefore appears, that on the death of a Governor-general, it happens of necessity that the senior of the Supreme Council will have that situation for a year. It will, however, be necessary, that the Company's servants in India may know to what extent his Majesty's ministers think that confidence may be reposed in them. It would be right that they should know what situations they might aspire to, and what situations they should ever be debarred from. It should be told them at once, that the whole career that was open to them was this, that from writers they might get to be factors, and from that to be junior merchants, senior merchants, and collectors of the salt duties; and arrive to all the lucrative situations of the country, but that they must not, in any case, hope to attain to the honours of Governor-general, which some, who passed their lives in the service of the Company, in the burning climate of India, might hope to aspire to. I myself, my lords, have often heard the private opinions of the directors of the East India Company upon the subject of appointing none but men of great family and high rank to the government of India. They have always thought that a person of this description, who was really distinguished for talents and the qualities desired, would be

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of all men the most proper, as he would arrive at India free from those partialities in favour of particular servants of the Company, which might interfere with the right administration of the country. It would, however, appear very strange in the ears of Lord Teignmouth, Sir Charles Oakly, and many other servants of the Company, who had held the highest situations in India, to tell them, that, by the modern system, it was discovered that persons of their description ought not to have been placed in the highest situations, and that, if they had been in India in modern times, they could have no pretensions to such distinction. This would be, indeed, strange music to their ears. Upon all these grounds I conceive I am warranted in stating that, *prima facie*, it is a most extraordinary thing that ministers should have conceived themselves warranted in exercising the power of recall, which a clause in the act of Parliament vested in his Majesty. I should wish to learn from the noble secretary (Lord Grenville), whether the instrument, under the sign manual, for recalling Sir George Barlow, was ever sent to India? I apprehend, that, from the repeal of the commission, there is now no existing government in India; and I cannot conceive in what manner the Court of Directors are to proceed to fill up the vacancies in the Supreme Council in India. If the instrument of recall has remained for two months in the pocket of the noble secretary, how are the Court of Directors to make out their warrant? It must also be considered in what situation the temporary government that subsists in India is placed. Although the treaties may be concluded, the negotiations and the consequences of them may not yet be at an end. There were probably yet remaining many things which were most important in the execution. By the treaties which Lord Cornwallis was on the point of negotiating, the river Jummah was to be the western boundary of the British possessions in India. Lord Cornwallis had sent to General Lake instructions to fix that river as the boundary of that part of the conquered countries which the Company meant to retain. There was, however, a most extensive district of the conquered countries respecting which the treaty, which was lately published, was entirely silent. Whatever might be the disposition of them, Holkar and Scindiah had no right to complain; but as Marquis Cornwallis had renounced the occupation of them, it would be a matter of the most serious moment how they

they were to be disposed of. They must be reserved for some one of the native princes; but, until it was ascertained to which of these they were to be given, India could never be considered in a settled state of tranquillity. Under these circumstances, I declare most solemnly, that if the person appointed to the government of India were my brother, or my nearest and dearest friend, I should deprecate his appointment at the present time. The court of directors did not insist upon the appointment of Sir George Barlow, in any other light than as a temporary measure, in consideration of the circumstances of the present time. If therefore the person who should be appointed would consent to delay for six months the gratification of his ambition, I make no doubt that he would meet with no opposition from the court of directors. If he should, however, go out now, and raise his rank upon the unmerited disgrace of Sir George Barlow, he must feel that he goes out with the disrespect and ill-will of the court of directors, and he must consider how he is likely to be received in India. He must consider what effect the doctrine will produce there, that none but men of rank and title can ever hope to attain the highest offices in India. I can venture to foretel that with the degradation of Sir George Barlow, a servant who has their hearts and their confidence, all the servants of the Company in India will feel themselves degraded. I repeat again, that if my brother or my nearest friend were going to India under these circumstances, I should endeavour to dissuade him. I should tell him, that even the support of the board of controul would not balance the disgust with which his appointment would be received by the court of directors, and the servants of the Company in general. I should therefore most sincerely recommend to whoever may be appointed, to defer for six months the gratification of what may be a very laudable ambition; at the expiration of that time I have very little doubt that he may go to India with the perfect acquiescence of the court of directors, and the good wish of their servants in India. I have nothing more to add at present, and shall conclude with moving, 1st, for copies of all letters and dispatches from the governor-general of India to the court of directors, respecting the finances of the Company, and the retrenchments proposed to be made; and when that motion is disposed of, I shall move for copies of the correspondence between the board of controul

controul and the court of directors, their chairman, and deputy chairman, respecting the recall of Sir George Barlow from his situation as governor-general.

Upon the first resolution being put,

Lord Grenville rose and remarked, that in the whole course of the noble lord's speech, not a single word had been said which at all alluded to the resolution which was then proposed to the House. For the other resolution no ground had been stated but the suggestion of the person who brought forward the motion, that the affairs of India were in a deranged and delicate situation. If the affairs of India were in this unsettled state that had been described, it would certainly not add much to the means of tranquillizing them, to bring forward discussions of this nature in Parliament. As to the resolution that was then submitted to the House, not a single word had been said in support of it. He did not, however, mean to rest upon a captious objection, but would come at once to the consideration of the second resolution, respecting the recall of Sir George Barlow, which was, in fact, the point upon which the discussion must turn. Upon this subject the noble viscount had not, in his opinion, laid any plausible grounds for the production of the correspondence for which he moved. It was not enough to say that such correspondence must be known by this man's child, or that man's servant; the real question was, whether that correspondence was of a nature that was proper to lay before Parliament. It was not until near the conclusion of the speech of the noble lord, that he heard him say something about restoring tranquillity in India, retrenching unnecessary expenditure, and savings in the finances; and therefore he should direct the principal part of his answer to what he conceived to be the most serious part of the speech, that which relates to the recall of Sir George Barlow. Without discussing the reasons which induced his Majesty's ministers to recommend the recall of Sir George Barlow, he must state, that he was much surprised at the only remedy which the noble lord proposed for what he complained of, and which was merely that Sir George Barlow should be continued six months longer. What could be the reason for this recommendation? When in the course of the six months he should do what the noble lord said it was impossible for him to do; when he should have remained so much longer under those difficulties, which (as was stated) must completely weigh him down,

then the noble lord himself would be ready to acquiesce in his recall. The noble lord had insinuated that there was some intemperance in the letters from his Majesty's ministers upon this subject. This was a charge, however, which he must utterly deny. He did not know on what grounds the noble viscount could presume to impute, that the object of his Majesty's ministers, in advising the recall of Sir Geo. Barlow, was merely dictated by the wish to extend their patronage. If there was any fixed principle which his Majesty's ministers felt should for ever govern their conduct with respect to India, it was this: that between his Majesty's ministers and the court of directors there should be a spirit of mutual conciliation and co-operation, that each should endeavour to understand the other, and that they should act together for one common object, the good of the countries which were committed to their government. Nothing could so much tend to break this harmony, as to bring forward, for parliamentary discussion, the various correspondence which passed between them. The noble viscount had supposed a case of the court of directors and board of controul acting at cross purposes, and only impeding one another. This was certainly a possible case, but it was by no means a probable one. As for those mutual checks and controuls, the history and the analogy of the constitution of this country proved that they might subsist without at all impeding public business. The constitution of the country was altogether a system of checks and balances, and yet it was found that those mutual checks contributed materially to the benefit of the empire; and, from the same analogy, he would infer, that it might also be beneficial to the system of the government of India. This was, perhaps, the first time in the history of Parliament, that ministers were called upon to assign a reason why they advised the recall of one individual, or the appointment of another. It was strictly parliamentary when the general conduct of ministers was such as Parliament disapproved of, to address his Majesty for their removal; but it was quite unusual to call upon ministers for their reasons for every separate appointment which they had advised. During the twenty-two years which had elapsed since the passing of the act, the noble lord certainly could adduce no precedent of a similar correspondence being laid before Parliament. If the House would call to their recollection all that had passed during those twenty-two years, they might be surprised

that

that the charge of grasping at Indian patronage should have come from that noble lord. For his own part, he always wished that those who were accused should be tried by the law itself, and not by any fanciful interpretations and constructions that could be put upon it by other people. In this instance he stood upon the law, and called upon their lordships to look at the law as it now stood. If the law in stating one thing meant another, the country would have a right to complain of that legislature that would enact such laws. Those whose business it was to carry the laws into execution might also complain of the legislature for leading them into error by fraudulent prevarication. The law, however (as he contended), must be construed by the plain meaning, and the expressions that were found in it. The noble lord himself must admit, that the law gave a power of recall, and he could hardly deny that wherever there was a right there was also a duty. If at a future time ministers should be arraigned before that House for a neglect of their duty, it would be a very weak defence to say, that the reason they neglected their duty was because they had taken the noble lord's construction of a very plain law, and had misunderstood the obvious meaning of it. He had been appealed to personally, as to his recollection of the intention of the legislature in passing the act; he should therefore declare most solemnly, that it was as clearly in his recollection as if the transaction was but of yesterday, that it was certainly intended that his Majesty's ministers should have the power of recall at their own discretion. He recollected even the arguments which were urged in the discussion of the bill of 1784, and he recollected that those who opposed it, took precisely the grounds that the noble lord now rested upon, and said, that the power of recall might virtually give ministers the patronage of India. It was answered then, as it might be answered now, that it never could be contended, that because the Crown has the power of negativing an act of Parliament, that therefore it could direct the legislature; and by a parity of reasoning, although it might with respect to India, have the power of negativing an appointment, it did not follow that the whole of the appointments must necessarily fall under the controul of his Majesty's ministers. If the noble viscount could shew that this power had been exercised merely for the purpose of procuring the appointment of a person whom they wished to appoint, it would cer-

tainly be a violation of the law. The noble lord must, however, recollect, that from the passing of the act in 1784, to the year 1801, there had not been a single governor-general appointed either to Bengal or Madras, that had not been recommended by himself to the directors. If therefore the same system of recommendation should have been continued from the year 1801 to the present time, it would appear that the noble lord should be the last to shew any surprise upon the subject. The noble lord had undertaken to prophesy, that whatever might be the exalted character of the person whom his Majesty's ministers should think proper to recommend, however disposed the directors might be to acquiesce in his choice, still the servants of the company would be so disgusted as to make his situation painful and disagreeable. His Majesty's ministers had recommended two noblemen of the highest rank and talents for the government (Lords Lauderdale and Minto). He hoped the circumstances of their rank and talents would not be urged as an objection to either of them; but when he heard the noble viscount talk of the prejudice of sending men of rank to India in the situation of governors-general, he could not forbear asking, if the affairs of India did not go on well when Lords Cornwallis, Wellesley, Powis, Sir Archibald Hamilton, and many other persons of consequence, none of whom were servants of the company, were employed in the government? He believed there had been many persons of distinguished merit in India, who had not been recommended by the noble viscount, and who could not claim the honour or the recommendation of being his personal relation. If the correspondence that was now moved for should be granted, it would destroy all the confidence and harmony which ought to subsist between the board of controul and the court of directors. The late administration had appointed Sir George Barlow as successor of Marquis Wellesley, and almost immediately superseded him for Marquis Cornwallis, who was a man of that high rank that the noble viscount now appeared to think ought not to be employed. Lord Cornwallis, however, although he possessed every other quality, wanted the essential qualities of youth and health. It was generally supposed in London that he never could bear the voyage to India, or that if he did arrive there, he would survive it but a very short time: although that was the prevailing opinion, yet the ministers at that time were so remiss upon the subject, that they made no provision

provision for the event which had happened, and what might have been expected to happen. It was from this criminal neglect in the preceding administration that his Majesty's present ministers were informed, only twenty-four hours after kissing his Majesty's hand on their appointment, that Marquis Cornwallis was dead, and that by neglect of their predecessors, no governor-general existed in India. It could not be expected of the present administration that in the first twenty-fours after they were in office, they could find a proper successor for Lord Cornwallis, and obtain the assent of the court of directors. Neither could it be expected that in the first twenty-four hours, they were to be perfectly acquainted with the talents of Sir George Barlow, or his fitness for the situation of governor-general. Their first idea was to give him the full powers of governor-general, in order to complete the negotiations he had then in hand. They therefore recommended it to the court of directors to give him the necessary powers, but they never thought of this appointment as being any thing more than a mere temporary appointment. It appeared, however, that what the noble lord called ten days, or ten little days, was in fact a period of near three months. He certainly could have no personal prejudice against Sir George Barlow: that honourable baronet had anxiously and zealously co-operated in the measures of Lord Wellesley, whose government was, in his opinion, the most splendid and glorious administration which India ever knew. He had such a high opinion of the splendid abilities, the unshaken integrity, and the ardour of mind in the public service, which was always manifested by Lord Wellesley, that it would be to him a great recommendation of Sir George Barlow to say, that he co-operated zealously in the measures and in the system of Marquis Wellesley, whose conduct he so much admired. As his conduct was however now under discussion, he did not wish to add more upon the subject. The court of directors had formed one opinion, he had formed another diametrically opposite. He should not dispute with them the exercise of their judgment, and he hoped no one would refuse him the exercise of his own: time would shew whose opinion on this subject was the justest. As to the production of the correspondence moved for, he trusted the House would see that it was highly improper. Although, to follow the analogy of the British constitution, the Lords and the Commons were a mutual check

to each other, yet it was found that they always drew well for the public interest. He trusted that it would be the same way between the board of controul and the board of directors. If the private reasons and personal objections which made ministers refuse the appointment of any individual were to be made a matter of public discussion, no persons would be found to take the situation of ministers. There might be many reasons why, without any crime being imputable to an individual, ministers might suppose him unfit to be trusted with the interests of millions. If, however, in every individual case, ministers were obliged to tell each individual to his face the personal objections they had to him, or if (which would come to the same thing) their correspondence upon this subject was to be laid before Parliament, the situation of ministers would be intolerable to any one who possessed the common feelings of a man. On these grounds he must object to the production of the correspondence moved for.

Lord Hawkesbury said, that if any public inconvenience were stated as likely to result from the production of the correspondence moved for, that would be a sufficient reason for negativing the production. If, on the contrary, no public inconvenience were stated, and any advantage to the public were likely to result from the production, he did not think those motives of private feeling entitled to so much weight. He agreed that the person who brought forward any motion for papers, was obliged to make out a *prima facie* case, at least, to support his motion. Such a case appeared to him to have been made out in the present instance. There was upon the face of the transaction some ground of blame, unless ministers could shew that they had good reason for advising the recall of Sir George Barlow. As to the act of Parliament, he did not see that there could be much difference of opinion. There was no doubt that the act gave ministers the power of recalling a governor-general, and the only question was, whether they had not made a wanton and capricious use of their power. He was perfectly ready to admit, that by the bill there was a discretionary power vested in the government. The question was not as to the right, but whether it has been soundly or unsoundly exercised. It would be proper to enquire a little into the state of India. Upon the decease of Marquis Cornwallis, the government devolved upon Sir George Barlow. He had frequent communications with that noble lord previous to his

his departure for India, and considering his advanced time of life, he never knew a man more likely to live, or against whose decease it was so little necessary to take more than ordinary precaution. Such was the opinion of the friends who had last seen him at Portsmouth. His astonishment was of course great when he heard of his decease, and considering all the circumstances of the case, it was his opinion, that no person could have been more proper to succeed him than Sir George Barlow. He would not, at the same time, say that it might not be right, in the first instance, to send out a person of rank in preference to a company's servant. Sir George Barlow's being a company's servant was neither for nor against his appointment; but he would maintain, that if inflexible integrity, if the greatest capacity for and attention to business, if the utmost devotion to the interests of the company deserved that preference, no one could be better entitled to it than that gentleman; and, what perhaps would be of no little weight, he had the entire confidence of the noble person he succeeded. It was for these reasons that he thought it would be wiser in government to appoint Sir George Barlow, but still he would not blame them for exercising that right. What was the situation of Sir Geo. Barlow? Engaged as he was in critical negotiations, invested with great authority, and afterwards recalled, what impressions might not the public receive from such an act? One of two things should have been done. Either Sir Geo. Barlow should not have been appointed, or he should have been continued. He did not suppose that an appointment likely to be attended with such important consequences had been made upon private grounds, but he wished that the noble baron had condescended to explain the public reasons for it. It had been said there had been no instance of such a motion as the present, but had there been an instance of such a proceeding as that which gave rise to it? His lordship concluded with expressing his opinion, that under all the circumstances of the case no person should have been appointed to supersede Sir George Barlow in the government of India.

Lord Minto felt no difficulty in meeting the noble viscount on the question. He contended that no public grounds had been laid, no reasons of sufficient consideration stated, to make it necessary for government to accede to the motion. The government of India was as complete this moment as it had ever been. Whatever British government

vernment should exist in that country, he was convinced would look to the interests and the honour of the empire; and while it should act upon these principles, no consequences, such as the noble viscount affected to deplore, were to be apprehended. Upon every change of a governor-general, the government upon most occasions devolved upon the second in council, who relinquished his authority as soon as his successor appeared, and never considered himself as degraded by such an act. As to the warrant for vacating the appointment of governor-general, it had not yet been forwarded to India. The act gave his Majesty the power of retaining it, and he took the responsibility of that detention upon himself.

Lord Eldon, in a few words, supported the motion, and pointed out some informality in the form of the warrant.

The Earl of Buckinghamshire maintained, that during the many years the noble lord was at the head of India affairs, he made it an invariable rule to prefer a person of rank to a servant of the company.

Lord Melville justified himself from the charge made upon him by the noble earl, and asserted that in recommending persons to the office of governor-general of India, he had always been influenced in his choice by a regard for the interests of the company. He recommended sometimes from the company's servants, sometimes from eminent persons at home, according to his ideas of their capability of promoting the interests of the company. Ministers might refuse him the papers he required, but it was impossible the substance of the correspondence between the directors and the board of controul should always remain concealed; it would transpire at some time. He had his suspicions, and if any thing should hereafter occur to justify them, he would take an opportunity of submitting them to the House. He would conclude what he had to say by one plain question. For what purpose was the warrant for vacating the appointment of governor-general kept in the pocket of a noble lord, except to influence the directors in their choice of a successor?

Lord Ellenborough maintained, that warrants were not ordinarily given for the purpose of being immediately put in execution. He illustrated this position by referring to the commission under which he acted in a neighbouring country, and to the appointment of lords-lieutenant of Ireland. The latter were often accustomed to receive their appointments,

appointments, and to take the oaths of office, many weeks before they acted under them.

Lord Eldon explained.

Lord Redesdale condemned, in very pointed language, the use which had been made of the warrant, and concurred in the motion.

The Lord Chancellor could not help considering it as very extraordinary, that a measure intended to prevent a dissolution of the government in India should be made a ground of complaint. The fault, if any there were existing, lay in the act of Parliament, which vested a power in his Majesty to recall these governors. As well may it be objected to his Majesty's government, that they should allow him, or any one filling his station, to retain it, after they had determined to supersede him in his office, as that they should exercise their undoubted right of sending out, under certain circumstances, any one to supersede the governor-general in India. He thought it would be more consistent with the part the noble viscount undertook, to have openly attacked the King's prerogative, than to have nibbled at it in the manner he had done. The objection to the form of the warrant he could only view as a legal *conundrum*, a quibble, undeserving serious refutation.

Lord Eldon observed in reply, that there would have been no difficulty in framing the warrant so as to avoid the inconvenience of an interregnum. If an illegal assumption of power was to be denominated from the woolsack a conundrum or quibble, he would feel it incumbent on himself to bring that principle to some specific form before the House.

Lord Rosslyn with much animation opposed the motion.

The question being put, the motions made by the noble viscount were rejected without a division.

The Earl of Westmoreland presented a petition against the slave carrying bill, from the West India merchants and planters residing in London, praying to be heard by counsel. Ordered to lie on the table. Adjourned.

HOUSE OF COMMONS.

TUESDAY, JULY 8.

Gordon's divorce bill was committed. Witnesses were examined, and the report received without amendment.

Sir John Sinclair brought up a bill for making a harbour at Wicks in Caithness; a bill for building new treasury chambers in Edinburgh; a bill for building a lunatic asy-

lum there; and a bill for making and repairing canals, &c. &c. in Scotland, the expences of all which were to be discharged out of the balances of the forfeited estates in Scotland. Read a first time, and ordered to be read a second time the next day.

The Westminster hall bill and the postage bill were read a third time and passed.

The malt act amendment bill was brought in, read a first time, and ordered to be read a second time the next day.

Sir John Sinclair brought up the stage coach acts amendment bill, read a first time, and ordered to be read a second time on Thursday.

The report of the committee of supply relative to the vote of credit of 2,400,000*l.* was brought up. Also the report of the committee of ways and means relative to the 3½ millions out of the surplus of the consolidated fund, was brought up, the resolutions agreed to, and bills ordered accordingly.

The lottery bill was read a first time, and ordered to be read a second time the next day.

The report of the committee on the American timber acts was brought up. Resolutions agreed to.

A message from the Lords announced their assent to the London port improvement bill and others.

The insolvent debtors bill was committed. In the committee Mr. Ker proposed that those persons who removed themselves by habeas corpus from one gaol to another should have the benefit of the act; and also, that where it was provided that the provisions should not extend to persons retaining 50*l.* worth of goods liable to be distrained for rent, the sum instead of 50*l.* should be 20*l.* These amendments were agreed to. He then proposed that the debtors should be obliged to give notice to their several creditors of their intention to avail themselves of the act. This was rejected. The bill then passed the committee. Report the next day.

Mr. Bankes reported from the committee to prepare an answer to the Lords on the subject of the examination of Peers before the Commons. The report was, that the Commons were always anxious to preserve the privileges of both Houses, but that the power of calling for and enforcing the attendance of noblemen, not peers of Parliament, was certainly vested in the House of Commons; that the precedent had been established in the case of

Lord

Lord Balcarras; that Lord Teignmouth was not a Peer of Parliament, and was therefore liable to be called upon; and that unless this privilege was insisted upon, the Commons would be materially obstructed in one of the most important of their functions. This report was ordered to be further considered the next day.

The Master of the Rolls brought up the chancery solicitors' fees regulation bill. Read a first time, and ordered to be read a second time the next day.

On the motion for the second reading of the masters in chancery salary bill,

Mr. William Smith adverted to the fund out of which those salaries were paid, which was that of the suitors in chancery, which, perhaps, might be employed also for other public purposes. The allowance to masters in chancery was certainly very liberal.

The Master of the Rolls acknowledged this, and said, that they certainly ought to have more than was allowed them in 1765.

Mr. Tyrwhitt Jones would not oppose the bill, but as the sum alluded to, out of which such salaries were paid, was very large, he thought that the names of the persons to whom it belonged should be published, on the principle of the unclaimed dividends.

The bill was then read a second time, and ordered to be committed the next day.

The accountant-general's clerks' allowance bill was read a second time, and ordered to be committed the next day.

The Greenwich hospital bill and the Greenwich chest bill were read a third time, and after clauses had been added for allowing to the hospital and chest a per centage on the droits of the admiralty, by way of riders, the bills were passed.

On the motion of Mr. Robson, the memorial of Mr. John Pritchard, presented to the commissioners of military inquiry, and laid before the House, was ordered to be printed.

Mr. Fellowes, with a view to have a watchful eye on the residence of the clergy, moved, that copies of the returns of the bishops on that subject should be prepared, with a view to their being presented early in the next session. Ordered.

GRANTS TO THE ROYAL FAMILY.

Mr. Hobhouse brough up the resolutions of the commit-

tee of supply, granting an addition of income to various branches of the royal family; together with sums for other purposes formerly stated.

The resolutions being read,

Mr. Ridley Colborne rose to make a few observations on the nature of the grants which the resolutions contained. He thought the House should pause before they voted away such large sums of the public money at a period of such peculiar difficulty. Some of the royal dukes were already in possession of regiments, and emoluments arising from various offices, and therefore there was the less occasion for this addition to their income. He did not allude to all the grants; some of them might be very proper, and that to her Royal Highness the Duchess of Gloucester he considered as too small; but he thought the emoluments which different branches of the royal family derived from offices which they held, should be taken into account.

Lord H. Petty said, that though he gave the honourable gentleman full credit for his feelings of economy, yet he trusted, from what he had stated on a former night, that the House would not consider the present as a lavish expenditure of the public money, at a period which called for the strictest economy; and mentioned, with regard to two royal persons, that certain tables and other allowances had been lately suppressed, which had cost the public nearly as much as their additional allowances would do.

After a few words from Mr. Rose, a bill was ordered to be brought in pursuant to the resolutions.

On the motion of Mr. Windham leave was granted to bring in a bill for regulating the rank of officers of yeomanry and volunteer corps.

Mr. Hobhouse brought up the report of the bankrupt laws amendment bill, which was ordered to be read a third time the next day.

AMERICAN INTERCOURSE BILL.

Lord Temple then moved the order of the day, for the third reading of the American intercourse bill.

Sir Charles Price said, that though he did not expect to make much impression upon ministers, he yet thought it necessary to take this last opportunity of re-stating his objections to the bill. He regretted much the thin attendance in the House, when a subject of such great importance was discussed, and thought it unbecoming to push on the

the bill at so late a period of the session, and in so thin a House. From all his communications with West India merchants and planters, and those engaged in the trade with Canada, and also with the ship-owners of this country, he thought the present bill hostile to the interests of our commerce. He had been informed by American merchants that not less than one-third, and even one-half of the sailors navigating American ships, were British-born subjects. The present, therefore, was not the time to discourage our shipping and navigation interests, and to drive still more of our seamen into the American service. For some time after the first suspension of the navigation laws in 1793, the vessels and ship-owners were fully employed as transports, so that sufficient encouragement was given to the navigation of the country; but since this resource had ceased, the shipping interest had declined; and he could state that, in 1802, there were not less than 100 of these ships with a broom at the mast-head, which fully shewed the distressed situation of the ship-owners. On these and various grounds he moved, that instead of the word "now," the words "this day three months" be inserted in the motion.

Mr. Broderick seconded the amendment, and characterised the bill as unjust, unnecessary, and impolitic.

Mr. S. Bourne deprecated the passing of a bill which went to suspend the navigation laws of the country, in so thin a House, and at so late a period of the session. He then took a general view of the arguments for and against the bill; and contended, that the discretionary power of suspending the navigation laws was best vested in the different West India governors, the meanest of whom had more local and immediate knowledge than ministers could possess, even with all that superior ability and information which they had ascribed to themselves. The bill, he observed, had now been two months before the House, and yet, during all that period, ministers had refused a delay of four days for receiving evidence in the committee against the bill. Not even a road bill was denied an advantage of this nature; and yet it had been refused in the case of a bill affecting the most important interests of the country. It allowed the exportation of West India produce in American bottoms to all parts of the world, this country excepted, and thus effectually discouraged the navigation interests of this country. He contended that a right honourable

nourable secretary had been guilty of a gross violation of the law in acting up to the provisions of the present bill while it was not in existence, by suspending the operation of the navigation laws. He then took a view of its effects on the shipping interest, and on our North American colonies, which were nearly able to supply lumber and provisions to our West India islands. The ultimate tendency of the bill would be to place this country in a state of dependance on the States of America, with whom we were not, indeed, in a state of war, but who seemed to have forgot every feeling of amity towards this country. It was not, indeed, likely that we should ever quarrel with them, if those principles were acted upon which were supported in publications coming from the ministerial presses, and which went to allow them all those demands which they claimed.

Mr. Mainwaring considered the silence of the ministers on the present occasion, notwithstanding all that had been said against the bill, as an insult on the House and the country. He declared, however, that it was not his wish to attack men, but measures, and proceeded to enlarge on the importance of our West India islands, as contributing to the wealth and prosperity of the country. He then concluded with expressing his expectation, that a debate of so much importance would not be gone through in the indecorous manner which the House had hitherto witnessed.

Sir Wm. Young supported the bill, and contended that the different governors in the West Indies had permitted the importation of lumber and provisions without any exception, while the right honourable secretary had made an exception in favour of Irish provisions. These governors being surrounded and besieged by the planters, were much more likely to make concessions unfavourable to the provision trade of this country, than the privy council, who would guard and protect that trade He contended, that if the principle of the navigation laws were strictly adhered to in every instance, the wealth and resources of the country could not be supported. Our manufactures, to the amount of nine millions, were almost wholly transported to America in American bottoms. Three-fourths of the sailors employed during war to navigate our merchant ships were foreigners; and these might be considered as relaxations of the severity of our navigation laws, which

which necessity compelled us to adopt for a time. He confessed that it was too true, that nearly one-half of the sailors navigating American ships were British subjects, and this it was not difficult to account for, when a certificate of their being American subjects could be obtained at five shillings a head.

Sir Wm. Curtis opposed the bill.

Lord De Blaquiere considered the present bill as affording but a slender proof of that extensive understanding, and those distinguished talents which ministers had been supposed to engross. He would ask gentlemen, and young gentlemen in particular, if this was a time to prostrate themselves to America, when that country had done every thing but spit in their faces. There appeared in ministers a superabundance of ingenuity, but a great want of good sense. He considered the present bill as another display of their disposition to introduce wanton innovation into the established system of the country.

Lord Temple said it was incorrectly stated that the supporters of this bill had prevented the petitioners from being heard by counsel; the opposition to this indulgence was given by the other side of the House. Neither was it just to assume, that because our commercial marine had been reduced, the trade of the country was diminished. The increase of a hostile navy necessarily involved the lessening of the former, but the augmentation of the commerce of the nation had kept pace with the wishes of every friend to the British nation. It was confidently asserted, that our merchants could supply our West India colonies so completely as to render all extraneous aid useless. He was sorry to observe, that the very first dispatches from Sir Eyre Coote gave a very different representation of the circumstances of the islands. Under date of the 6th of March last, that officer wrote to extend the time of importation of articles of subsistence, particularly fish, until October. The truth was, that addresses were poured in from every quarter, indicative of the existing necessity, and he trusted gentlemen would no longer deny what was so obvious and palpable.

Lord Castlereagh—Sir, I cannot permit this bill to be read a third time, without stating the strong objections I feel both to its principle and its provisions. In proportion as both have been discussed, my repugnance to both has increased. Indeed it is impossible to compare the futility of the

the professed object, with a view to which this bill is introduced, with the extent and nature of the powers it confers, without feeling an alarm, that it is really intended for other and more serious purposes than those which have been announced.

It is said, that nothing more is intended by its framers, than that which has hitherto been done in breach of law, and of the oaths under which his Majesty's governors act, should hereafter be done regularly, and in conformity to law. But if nothing more was really meant, than that the British West India islands, in cases of an adequate necessity, should hereafter receive supplies of provisions and lumber from America, as they have heretofore done, even in American bottoms, why propose a law to enable the privy council to permit the importation into our colonies, not only of provisions and lumber from America, but of every description of produce, even manufactures, as the bill was first introduced, from every state in amity with the King? And further, why permit the unlimited export in return of all articles of colonial produce to any such states, thereby at once giving to the King's ministers a power not only to suspend the navigation laws, but to abrogate totally our colonial system?

When this measure was before under consideration, I endeavoured to expose the false pretences upon which it proceeded, and to point out its total inefficiency when viewed in its more limited character, namely, that of placing this qualified intercourse upon a more regular footing, to answer even the purposes for which it was professedly introduced. If it was really intended that the governors abroad, in opening the ports, should act not upon their own immediate judgment, as applied upon the spot to circumstances of local necessity, but upon instructions previously obtained from home, as those instructions must be in their nature of a general and permanent description, and not arising out of any temporary exigency, why have not ministers declared what their intended system in respect to the islands is to be, and applied to Parliament for the powers absolutely requisite for carrying the same into effect, before they call upon us thus blindly to entrust the whole to their discretion? But if the only instructions that can, or at least ought to be given, are those of his Majesty's late ministers, viz. directing the governors to enforce strictly the salutary regulations of the existing laws, except in cases of

real

real emergency, how can it be pretended that his Majesty in council can ever here judge either of the circumstances or the time when such a pressure exists in any of our West India islands, as to render a temporary relaxation necessary? This bill cannot then alter either the nature of the discretion, or the hands in which its exercise must practically rest. The West India governors must decide when the ports are to be opened, as they have always done, unless the King's ministers are prepared to say they shall be constantly open with or without necessity: and if not, the question then is, whether a discretion to open them when requisite, is most likely to be prudently exercised, when it is used under the impression of subsequent controul, and indemnity: or, under a previous authority given, enabling the governors lawfully to suspend the navigation laws at their will and pleasure, without being subsequently amenable to Parliament, as well as the Crown, for their conduct? The effect of such a bill can only be unconstitutionally to transfer from Parliament, hereafter, to ministers, the power of granting indemnity, and watching over the conservation of this fundamental law.

But if this measure, in the limited sense I have hitherto considered it, is not sustainable, or the motive for its introduction intelligible, it assumes a much more serious shape, when viewed in its true and more enlarged sense, as manifesting, I fear, a general relaxation of opinion on the policy of our navigation system, and mixed with, perhaps, a disposition at the expence of that fundamental law, unwisely to court and conciliate the government of America at the present moment.

I lament the absence of a right honourable secretary of state on this occasion, not only from the cause which has unfortunately occasioned it, but from the desire I feel to hear him redeem the pledge he gave on a former night, namely, that he should be prepared to prove, not only that the measure was pregnant with none of the bad consequences imputed to it, but that the powers proposed to be granted to the privy council, were borne out by a variety of precedents, and particularly by the acts which were passed between the years 1783 and 1791, authorizing the King in council to regulate the commerce with America. A further sanction was quoted for the bill before us, by a learned member (Dr. Laurence) from the Dutch property acts, in the

last war, and the bills enabling the privy council to regulate the trade with the Cape of Good Hope.

And first, as to the two acts of 1795, the object and the provisions of which were confined to protecting the property of the loyal subjects of the United Provinces, viz. allowing it to be imported into this country, on certain conditions. The principle of those acts was extended, in 1796, to vessels belonging to any person in amity with his Majesty; of which, however, the benefit was taken (as was foreseen chiefly by ships from the States of America and the foreign West Indies.

A slight examination of the grounds on which these acts were passed, whether wisely or unwisely is not now the question, will shew that no considerable sacrifice was made thereby of our navigation system; and that the colonial system was not affected thereby. They were founded altogether on considerations of temporary commercial policy. The preamble of the act of 1796 declared, "that "under the special circumstances of the commerce of "Europe, and particularly for that of the United Pro- "vinces, it will be for the benefit of the commerce of this "kingdom to continue to allow for a further time to be li- "mited such ships and vessels described in the former act "as may not choose to return to the ports of the United "Provinces; and also any other ships and vessels belong- "ing to persons of any country in amity with his Majesty, "which are in search of a place of deposit, to land their "goods under certain restrictions." This law was principally intended to permit a qualified intercourse, during war, with the enemy's colonies, which could only take place in neutral vessels. Assuming then the propriety, in the then state of Europe, of making this country an entrepot for the colonial produce of our enemies, it could be effected in no other manner. It was necessary to relax the letter of the navigation act to favour this intercourse, so far as it prohibits import, except in British vessels, or in those of the state from whence the goods came; but there was, in truth, then, no substantial sacrifice of our shipping interest; it was rather a temporary sacrifice of our *belligerent rights*, from motives of commercial convenience, and our colonial interests were at the same time protected by the foreign produce thus admitted being only permitted to be warehoused for exportation.

The case of the Cape of Good Hope is as little in point.

It

It stands on a principle frequently acted upon, where there has been reason to presume, that a possession newly acquired might materially suffer, if our commercial system was at once applied to it in its utmost strictness; that of giving to the King in council a power for a time to regulate its trade. But the present case is not a discretion to adopt our system for a time to a new colony, but *a power* to subvert at once the whole system with respect to all our old and established colonies. It is said, but why do you suspect that such will be the effect of it? Is it possible to suppose that ministers will so use these powers? Or is there any reason to believe they will in fact authorize any greater infraction of the system than has latterly taken place? The answer to all this is, if so, why pass the bill? Is it not an insult to their understandings to suppose that they take all this trouble to accomplish what experience has shewn the necessity of the case in itself effects, without such interference? And why, if ministers really mean to do no more than what has hitherto been done, do they come to Parliament to ask for powers to do that which never has been done, and which they declare they do not mean to attempt? And why is Parliament to be called on to adopt this new and most unconstitutional system of legislation, of granting excessive powers to ministers, who either cannot or will not satisfactorily explain for what purposes they are wanted, or to what purposes they mean to apply them? Such was the case in the Chelsea bill, such is to be the case in the training and other bills to which we are called upon to give our assent. To such a course of proceeding I must, on every principle, object, and I certainly have seen nothing in the mode in which his Majesty's present ministers conduct public business, which, either in point of efficiency or discretion, is calculated to command any very peculiar confidence.

The bills which passed immediately after the peace of 1783, and which were alluded to by the right honourable secretary of state, (Mr. Fox) afford as little countenance to the present measure. They took place immediately on the separation of the American colonies. It is not to be wondered at that in the moment of such a convulsion, and when the supreme power of regulating all commercial concerns rested on the separate legislatures of the respective American states, that Parliament should, for a time, entrust the privy council, under circumstances so new and anoma-

lous, with the regulation of our intercourse with America, and accordingly a bill was passed to this effect, but it was only an annual act, not for an indefinite period like the present, and it was discontinued with the necessity on which it was founded.

But even whilst these acts were in force, and whilst the power to regulate the trade was in the privy council, by proclamation, the intercourse between America and the West Indies was, as early as December 1783, confined to British ships, and so it continued till 1788, when an act passed for the regulation of that intercourse.

It is material to compare the provisions of this act, viz. the 28 Geo III. cap. 6, with the bill now proposed; the latter enables the privy council to open the colonial ports to importation of every description of produce without reserve, from all states in amity, to the prejudice of the supply from the mother country. The former permitted import from America alone, and that was confined to certain enumerated articles, the principal of which were lumber, live stock, and grain.

The present bill permits an unrestrained export of colonial produce to neutral states; the former confined it to goods not then prohibited by law to be exported to America, and to certain specified articles in addition; but the intercourse was in all cases to be carried on by British subjects, and in British ships.

So jealous was the legislature at that time of any infraction of our navigation system, that in making provision for admitting the like articles from the foreign islands in the West Indies, in cases of peculiar emergency and distress, the permission to import was strictly confined in like manner to British subjects and British ships, and the discretion to judge of the degree of emergency was specially vested in the governors, with the advice of their respective councils, and not in the privy council at home; and so also with respect to supplies from the United States to Nova Scotia.

This system was not established without full deliberation. In 1784 it was complained of by the colonies, and their petitions containing precisely the same allegations which are now brought forward, by those who contend that our islands cannot otherwise be supplied, underwent a full examination before the committee of trade, as they did a second time in 1791, when they were dismissed upon

reasons stated in two elaborate reports, as wholly unfounded.

But the fallacy of these remonstrances did not rest solely upon the reasoning, however conclusive, stated in those reports, it was satisfactorily established by an experience of not less than ten years, viz. between 1783 and 1793; during all which time the islands were never more abundantly and cheaply supplied; under which prudent system our navigation singularly flourished. The British vessels belonging to the islands alone had encreased in 1791 to 935 ships, 110,900 tons, and 6567 seamen; the number has since materially declined, being reduced in 1804 to 167 ships, 19,535 tons, and 1860 men.

It probably will be said all this reasoning applies to a period of peace, and proves nothing as to the present question, viz. the practicability of securing an abundant supply for our islands under similar regulations in time of war. War certainly, if adequate convoys cannot be supplied, may afford to neutrals a greater comparative facility in carrying on this intercourse; but I am sure, in the present state of our naval superiority, it cannot be alleged that any difficulty can arise in giving complete protection to British ships passing between the islands and the continent. Whatever might have formerly been apprehended from the naval power of our enemies, it cannot now be beyond the reach of our navy to cover this important branch of British commerce against the depredations of privateers, there being rarely an instance of any of the enemy's regular ships of war venturing to shew themselves in those seas. It is only on an assumption that due protection cannot be afforded, or that if afforded, merchants cannot be found to carry on the intercourse in British ships, that any distinction in the argument can be maintained on the fact of war. That the former cannot now be an impediment, the noble lord at the head of the navy will, I am sure, be the first to admit; and that there are persons of the utmost respectability ready to engage in this trade, if they are only assured of the protection of the existing laws, my right hon. friend (Mr. Rose), has from their own authority been enabled to assert, and was prepared to prove if all enquiry had not been refused. I am the more anxious to impress on the minds of the House, that in truth the question stands at this present moment, for the reasons above stated, on the same grounds practically as if we were at peace, and that unless

unless they are prepared to go the monstrous length which the right honourable secretary (Mr. Fox), has done, namely to doubt whether the British colonies can be supplied even in time of peace, not only without a relaxation of the colonial but of the navigation systems; they would do well to take their stand here, and require his Majesty's ministers and the planters, who may, from a confined view of their own separate interests, be disposed to press forward this measure, to make out which they have on former occasions completely failed to do, an adequate case of necessity for such a breach of system, before the House will consent thus to lay the foundation of rendering our West India islands dependant in peace as well as in war, on America for their supplies, and before they will proceed thus permanently to divest the owners of British shipping of the rights long assured to them under the existing laws.

But it is said, can any one doubt of the necessity of continuing this intercourse at least in time of war, after the experience we have had of its being practised with little interruption, both throughout the last and present wars? With respect to the commercial and maritime principles acted upon in the course of the last war, however highly I respect the authority of those who then directed our councils, and however generally wise I believe them to have been, I certainly should deprecate their being considered of universal application, or such as ought to be acted upon in all cases. Our commercial as well as our political relations at that time underwent a great convulsion: the degree to which all the social relations of Europe were then shaken; the attempts that were made to protect the interests of those who were attached to the ancient governments both of France and Holland, notwithstanding the hostilities we were then carrying on against those states; the efforts made to introduce our manufactures both into the countries with which we were at war, and also into their colonies; and the object we had in such a contest to conciliate neutrals by every possible forbearance, and every sacrifice on our part; certainly at that period occasioned, and perhaps justified, great relaxation of system. It is not to be wondered at, if, upon perhaps a hasty and superficial view of the case, new indulgences should at that time, at the instance of the planters, be also granted to the colonies, namely, that of receiving for the first time supplies in American bottoms; but we have abundant grounds to warrant us in not

not considering the practices which prevailed in that war, as what even those who then advised them deemed such as ought to be rendered permanent. With respect to our colonies, the correspondence since Mr. Pitt's last return to power will prove, that his unremitting endeavours were directed to restrict the intercourse between America and the West India islands within the narrowest possible limits; he had succeeded in confining the supply to lumber, and corn provisions; and these only were permitted to be brought in under the authority of special proclamations to be issued from time to time, and to be in force only for a limited period: but he had determined steadily to resist in future any competition with the mother country, for her North American colonies, in either fish or salted provisions. He had also latterly turned his attention, after the decisive successes of our fleets had opened to us the prospect of being able fully to protect our commerce in all parts of the world, to an early recurrence to the principles of the 28th of the king, and would, I have no doubt, if his life had been spared, soon have confined whatever intercourse was permitted to take place, to British subjects and British ships as formerly; a regulation not more called for in deference to the shipping interest of Great Britain, than required to put an end to that system of smuggling into our colonies which now prevails to an enormous extent, particularly of East India goods, and which must continue to prevail so long as American ships are permitted to frequent our islands.

That the practice of the last war is not to be considered as conclusive in all cases, may be further proved from the modifications which the orders in council of that period underwent at the commencement of the present war, relative to neutrals trading to the enemy's colonies. I am the more inclined to advert to this point from the conviction I feel, that the orders in question yet require to be very considerably further modified and restricted. The extent to which our belligerent rights are now systematically invaded, the facility afforded to the enemy by abusing our liberality towards neutral powers, to cover his own commerce, and to turn his whole maritime strength against us in war, and the cruel situation in which those employed in the naval service of the country are placed, when, by the artful and unprincipled practices of neutralizing merchants, they are not only deprived of almost all prospect of prize, but exposed

exposed to be ruined by litigation if they venture to detain the ships engaged in this illicit traffic, makes me peculiarly anxious to protest against any conclusive inference being drawn in favour of this or any other system, merely from its having generally prevailed throughout the period of the last war; and I urge this consideration with the more anxiety on the present occasion, from the extent to which it is understood America is disposed at this moment to push her claims on this score, in opposition to the undoubted maritime rights of this country. From the harsh and unconciliating manner in which she apparently has endeavoured to support those claims, and from the knowledge we have, that this vital question is on the point of being discussed by his Majesty's ministers with the government of the United States, than which certainly a more important discussion never devolved upon any government, we are to hope they will conduct it with all the temper and friendship, which is due to a state with whose prosperity our true interests are so inseparably united; but with that resolution and inflexible firmness, with which it is their duty to defend rights, the maintenance of which is indispensable to our preservation as a maritime state, whilst America in pressing their abandonment, can only plead a commercial interest of a very subordinate kind, unsupported by any colour of justice whatever.

If the necessity or expediency of this bill cannot then be made out when its application is reasoned on in its more limited sense, and if its enactment in the more enlarged meaning which the wording of the bill justifies us in applying to it, cannot be reconciled with any sound view which can be taken either of former regulations or our general interests, I wish to warn the House of the value and importance of those principles, which this measure in its most comprehensive character goes to shake. I am led the rather to do so, as I have understood that language has been held with respect to our navigation laws, by persons of great authority in another place, which fills me with considerable alarm. I have heard they have been spoken of as laws rather suited to the former situation, than to the present circumstances of this country, and I cannot but forebode from such sentiments, explained by such bills, and illustrated by such practical opinions as have been stated by a secretary of state in this House, that if there exists not in the present government a deliberate purpose to violate,

violate, there at least exists a great indifference to uphold the fundamental principles upon which those ancient laws were founded.

I know it has been the fashion in modern times to deny its restrictions upon commerce. The *economists* laugh at the notion of compelling your commerce to be carried in native shipping, if it can be carried by the shipping of other states on better terms. But those who have attentively studied the rise of this nation into greatness and security, will not hesitate to attribute it, under Providence, to its early and provident determination to carry forward its means of strength and power, with all those circumstances of wealth and splendour which must ever have the effect of exciting jealousy and creating enemies. It has been the policy of those laws to require our commerce and our marine to grow up together. This principle of wholesome restraint has caused them to rise and flourish together, and they have alternately as cause and effect, perhaps, accelerated each other's progress. To say that no circumstances can ever justify a partial and temporary relaxation of these laws would be absurd; but in proportion as the growth of any marked disproportion between the trade and the shipping of the country must render an adherence to them difficult, and perhaps a a recurrence to them impossible if once fallen into disuse, I do consider it of the first importance to watch with the utmost jealousy, and to mark with the strongest disapprobation, any thing which seems to bear so much the appearance of an unnecessary, precipitate, wanton, and apparently systematic infringement of those laws as the present measure does.

The House will recollect the efforts made by the French government at several periods of its history during the monarchy, to incorporate the principle of our navigation laws into their system. The ministers of France perceived to what cause the naval greatness of Britain was in fact assignable; they wished to imitate it, but happily they had postponed the attempt too long. Their commerce had long taken the start of their shipping; they could no longer make their trade the instrument of forcing forward their commercial marine without nearly extinguishing the trade itself; and they were obliged, after several fruitless efforts, wholly to abandon the attempt. This ought to make us cautious how we trifle with this important system, for purposes of small and speculative commerce. If, as

there is but too much reason to apprehend, there is some tendency at present in the shipping of the country to advance less rapidly than our trade; let us avoid aggravating this evil. The necessity for relaxation of the law on the score of commercial convenience must, if this defect in our system continues, be increased, whilst the danger of yielding them will be augmented also. Our trade under a moderate restraint may, and will speedily, relieve itself by forcing capital into the means of its own accommodation; but if the want of shipping is once suffered to prevail beyond a certain extent, the demand can no longer without great national loss await the supply. The barrier will then be thrown down which now protects our commercial marine, and from that moment America and other countries that can build and equip cheaper than we do, will possess themselves largely of our carrying trade; shipbuilding in this country will cease to be a profitable application of capital; our seamen will decline in number; and many even of those we have will pass, particularly in war, into the service of America.

I know doubts have been entertained whether our shipping can be equal in time of war, when so large a proportion of our seamen are withdrawn from the merchants' and employed in the King's service, to accommodate us in peace; the trade of the country, I am inclined to think, considering the proportion of landsmen in the navy, and the powers of re-production we possess, whilst the demand for seamen is kept up, that little difficulty will occur in this respect; but I am persuaded our means must always be abundant, for at least supplying our own colonial trade in all its branches, into which no foreign ships ought to be admitted, no more than into our coasting trade, or transport service. Whatever temporary deficiency there may exist of British shipping, it will adjust itself in the increased share of the carrying trade other nations will for the time enjoy in our intercourse with them respectively, as authorized by the navigation act itself. But so far from encouraging imaginary cases of exigency, we ought to recollect that some degree of pressure is the first and most active principle of encouragement to the augmentation of our ships and seamen, upon whose concurrent growth with our general trade must ultimately depend the station we are to occupy in the scale of nations.

I cannot omit also observing that the continuance of this

system of taking our supplies from America without affording to the produce of our North American colonies the protection even of duties, must not only operate to repress their growth and improvement, but must rapidly tend to make our West India islands permanently dependant for these important articles on the government of the United States. In the absence of all discriminating duties, such as our commercial policy has always led to the adoption of at home, between British and foreign produce, the local situation of the United States must give the Americans great advantages in the market of the West Indies over our more northern fellow-subjects, and we accordingly find, whilst the British American provinces were rapidly advancing to a state that would have enabled them to supply our islands with most of the articles of which they stand in need, yet, from want of due encouragement, the quantity actually imported from thence since 1792 has latterly diminished not less than two-thirds.

Such is the extent and nature of the measure which we are now called upon to pass without enquiry, in this most exceptionable shape. It goes materially to affect the interests of the ship-owners throughout the empire, of the British continental colonists, of the fisheries of the empire—of Ireland, as largely dependant on the provision trade—of various classes of British manufacturers, and of the East India company, all of whom begin seriously to feel the destructive effects of the smuggling competition which grows out of this intercourse, as against them in the West India islands. Yet although the utmost alarm has been expressed by the parties interested, and they have come forward to the House with petitions desiring to be heard, and prepared to disprove the main facts upon which the expediency of the bill has been maintained, they have been refused, contrary to all precedent, even a committee above stairs; though my right honourable friend (Mr. Rose) pledged himself that four days would suffice for bringing forward all the material information, and that the progress of the bill need not be thereby delayed. The petitioners under these circumstances thought it in vain to appear by counsel at the bar, if they were denied the opportunity of previously establishing their case by evidence; and they have now to complain, in addition to the injurious effects of the measure itself upon their fortunes, of a very different reception from that which persons of their weight and respectability

spectability have ever been formerly accustomed to receive from this House.

I have little further to add to what I have already stated. I cannot, however, conclude without saying, that any objections to the measure now under consideration are much increased, and indeed my apprehensions augmented, when I advert not only to the time, but to the circumstances under which it has been brought forward: the proposing to Parliament so idle and so nugatory a measure as this indisputably is, if its proposers truly describe it, at a moment when we have a point of such great importance to settle with America, does appear to me, to say the least of it, a great oversight. But I cannot forget, that this bill, or one of similar import, first made its appearance in another House of Parliament, immediately after the publication of an Enquiry into the State of the Nation; a pamphlet which it is understood was circulated under the particular countenance and protection of the noble lord (Lord Holland) who first brought in this bill. Much of the pamphlet in question is occupied in considering the pending question with America, and in counselling the unqualified surrender to that country of every thing she is supposed to have laid claim to. This, together with a most desponding estimate of the power and resources of the country, concluding with a pretty distinct intimation that our only chance of holding even a secondary place in the scale of Europe, is our concluding an immediate peace with France on the best terms we can, are the only two practical conclusions to be found in a work of some talent, which is principally engrossed in a general mistatement of the measures, and consequently of the conduct of the former government. If such is to be taken as in any degree the standard of the noble lord's own opinions, and if it is in the spirit of such doctrine, that he was induced to offer this bill to Parliament, those who differ with him in sentiment have ample grounds for apprehension at the present moment. The noble lord does not certainly hold a seat in his Majesty's councils, but that is not sufficient to relieve my mind from the anxiety of observing a bill of this nature proceed from a person so high in confidence, entitled to great personal weight and respect, and whom we have reason to presume entertains sentiments of the description above stated. I wish, if ministers do not mean to use this bill for the unwise and mischievous purposes to which its powers may be applied, that they would, at least for the present,

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calm the public apprehensions, by relinquishing it, and suffer matters to proceed as they have done for years, without any inconvenience or danger. It cannot be requisite to enable them to administer a limited and temporary aid to the islands. If it is meant to be pushed further, which the extent of its provisions justifies us in apprehending, it is a fraud on Parliament thus covertly to effect it. Without a more visible necessity, so much power ought not to be surrendered to his Majesty's ministers, nor so many great interests be alarmed with respect to their nearest concerns. I certainly cannot justify to myself, (venerating as I have been taught to do, the navigation laws of the country) unnecessarily placing such vital interests at the mercy of any government whatever; and I least of all am disposed so to place them, at the present moment, after the sentiments that have been expressed, and the opinions it is to be presumed are entertained. I trust the House will retain those laws under its own immediate protection, as the source of our greatness, the surest preservation of our power, and the best bulwark of the British empire.

Lord Henry Petty said, the noble lord complained that ministers had not informed the House of the nature and object of this bill; but he had scarcely proceeded to a second sentence before he admitted that a right honourable friend of his (Mr. Fox) had disclosed the grounds and principles of that measure. The truth was, that his right honourable friend had opened the subject so completely, as was often his practice, as to render little further explanation necessary. The bill proposed by Mr. Pitt in 1783, on the intercourse with America, was much more directly opposed to the navigation law than the present, so that if this be absurd, novel, and monstrous, it at least must be much less absurd, novel, and monstrous, than that which was supported by that right honourable gentleman. The fact was, that the ship-owners were not prejudiced but benefited by this act, as the power was transferred from a situation in which they had no interest, and where they could not be heard, to a place where they were not only heard with patience, but listened to with pleasure. If the bill had been precisely the reverse, the objection would not have been at all surprising; but in the present circumstances the opposition from that quarter was most unreasonable and extraordinary. Then it was said the power should not be entrusted to the privy council. What was there peculiar in

this

this case? Could the privy council exercise no sound discretion upon it? Was not nearly the same sort of power given to this body under the 34th of the King, and was not precisely the same authority conceded in the 35th of this reign? Whence then all this parade of innovation? On what did the naval superiority of the country essentially depend? On the prosperity of the West India islands. This plan was most conducive to their advantage, and therefore must contribute to support that maritime strength, which could not be too highly estimated, and could not be too zealously maintained. Then it was objected that a secret would be discovered by America, that the existence of our colonies depended on her aid. It was no secret that the assistance of America was useful to our colonies, after thirteen years experience afforded to that continent; and if promoting this intercourse could receive from America any conciliatory construction, this was not an objection, but a motive for the bill.

The Master of the Rolls rose and said—One of the observations of the noble lord (Petty) who spoke last, is the most extraordiuary I ever knew to be used in a debate, namely, that what has passed, on former occasions, has rendered unnecessary all argument in support of this bill, and, as he thinks, has rendered unavailing all arguments against it. Objections have, indeed, he says, been urged, which might have had some force, but a satisfactory explanation has been given to them, and these the noble lord has left untouched. In his very outset, the noble lord has left untouched one-half of the argument urged against him, by which he has left untouched one-half of his own bill. All the argument against one whole clause has entirely escaped the noble lord's observation, and he proceeded just as if the provisions of that clause were not in the bill at all.

Sir, when I compare the very limited purpose which the bill professes on the face of its preamble, with the extensive powers which the bill creates, I am utterly at a loss to guess at the object of its framers. It would be an affront to their understanding to say they had no object, and yet to say that the granting such power to any government is proper, is what I am not prepared to do, and what I am sure the noble lord has not enabled me to do, and what, therefore, I cannot consent to do. Sir, the bill professes, in its preamble, to be intended, and states itself to be calculated, to meet a necessity of the most limited kind; and the noble

lord

lord has said, that the only object of the bill, is, to do that legally which has been for years found indispensably necessary to be done in violation of the law: such is stated, both in the preamble of the bill, and by the noble lord's explanation of it; but what does the bill do? By a force and conciseness beyond all example, it strikes out of your statute books, or reduces to a dead letter, all the body of the laws of this realm, made for the support of our navigation, the rule of our colonial system, and every thing that depends on both; this is said to be the effect of necessity. Is this a proved necessity or only an alleged necessity? when did this necessity grow up? what is the extent of it? It must have been of a very limited kind for these two months; for the secretary of state's letter is dated so far back as April last, by which it appears that he felt no other necessity than that the West India colonies should be supplied with lumber, and with a few, but not with all, articles of provision; and that those who do supply the colonies with this lumber, and with these few articles of provision, shall be allowed to carry away with them rum and molasses; that is all the necessity which exists in the month of April; but in the month of May following, that is, in one month, it is discovered that there is a necessity for transferring from Parliament all the controul it ever had over this important subject, and from the colonial government all the discretion it ever had, and of vesting in the hands of his Majesty's ministers, an entire, absolute, and uncontroulable power to exercise their discretion over the whole body of the navigation laws of this realm, as far as those laws depend upon your colonial system. Now, will the noble lord tell me that he is arguing the merits of this bill when he leaves entirely unanswered all that has been said on the other side with respect to this colonial system and the navigation laws? Why, Sir, to say that these discussions are not relevant, which apply to the very subject of the bill itself, shews the truth of what has been said on the other side, that the noble lord himself is not in the secret of the real meaning and true object of this bill; or, that it contains a meaning, and has an object, which the noble lord does not think fit to disclose to Parliament; and here I take leave to ask, when a measure is presented to Parliament, under a false character and description, is it not fair to infer, that under its true character and description it would not be endured? But it is said, in support of this bill, that the power which has hitherto

hitherto been entrusted to the governors of the islands, is now to be transferred to the privy council. Supposing it did no more than that, and that the power so to be transferred to the privy council was to be confined in its exercise to the objects specified in the secretary of state's letter, that is, that the whole power was to be confined to lumber, and the few articles to be imported into the colonies, and the rum and molasses to be carried out of them; then there would not be much objection to it; but that is nothing like the extent of the power to be given by this bill; for, by this bill, the power is without limit as it regards the regulation of the whole of your colonial system, and the whole of your navigation laws. And when did Parliament ever give this power before? did it ever give it, or any thing like it, to the governors of the islands? I know it has from year to year passed acts of indemnity for what they did, and this is stated to be like the case of the King's prerogative to pardon a criminal. Certainly, the royal prerogative extends to the pardon of a criminal for an offence, and a valuable prerogative it is, when judiciously exercised; and I have no doubt, that these acts of indemnity, like the royal prerogative, have been a judicious exercise of discretion; but did we ever hear of any prerogative that empowered any body before hand to commit an offence? The power which Parliament gave to the governors of the West Indies, Parliament expected to be discreetly exercised, confined to cases of absolute necessity, and that they would allow of none of those importations into the colonies by strangers, except in cases of clear necessity. There is no instance of any bill of indemnity passing or of being asked for upon any other foundation. Parliament never meant to grant any indemnity on any other conditions, nor is it too much to assume that Parliament never would have granted any indemnity on any other condition; for, in every act of indemnity that ever passed on this subject, it is stated, that, "it was necessary for the governors of the islands to allow the importation of lumber and provisions; and that those who imported them should be allowed to take away certain articles of colonial produce in return for the same;" that is the limited description which you have given them, and the power is only given to the governors in a case of absolute necessity; but here it is provided that you shall give the power to the privy council absolutely, and in the first instance. Now, I would say, before I gave it any where:—

before

before I would say where the power should lodge, I would inquire whether it be necessary to lodge it any where? and I would ask this House whether it be a matter of course to give this power? I say, a matter of course, to give the privy council a power of suspending any law without laying the foundation of the necessity of it upon a previous inquiry into the matter. There may be a case of public notoriety on which Parliament would act without a previous inquiry, but that is not this case; there may be such a case as that which occurred in 1784, in which a previous inquiry may be unnecessary by the notoriety of the necessity; but that is not like the present case. How do I know whether there has been lately, is now, or may hereafter be, at any time given, a competent supply for the British colonies by British ships, from Great Britain, or from the British colonies in North America by British ships? How do I know what the state of the trade at home is? How do I know what state the British colonies of North America are in? How do I know what the state of British tonnage is at this moment? How do I know what state it is likely to be in some given time hence? What do I know of the state in which British trade is without inquiry? Will the advocates for this bill say that inquiry is nothing, at a moment when it is most manifest, that without inquiry every thing else is worse than nothing? Will they give us a statement of facts of their own framing, and which ought to be made the subject of inquiry, when that statement is disputed? and yet they deny that inquiry to those who offer to prove the truth of a contrary statement, and that, at the very time, when they themselves are shewing the necessity of laying a ground for parliamentary investigation; Sir, I distrust extremely all general arguments in this case; and, indeed, almost all general arguments when they are made to apply to particular cases: nothing is more easy than to adapt a statement of facts of your own making to general principles, and to apply general arguments to that statement; and, therefore, I distrust all general arguments when applied to this case; and for this reason, because I remember that the very same arguments, and the very same answers were made, word for word, for this trade, as now contended for, in time of peace, that are now made in time of war. There is not one syllable said this day, in time of war, that was not advanced in the year 1784, to shew that the opening of this trade was necessary; that is to say, that it is as necessary

in time of peace as in war time; a proposition which ministers, whatever they may wish, have not yet thought fit to go the length of contending; but their arguments, and so must all general arguments, go that length. The very language of the honourable baronet is to be found in the answer which was made in the year 1784: the noble lord and the honourable baronet have said, they thought it extraordinary that British shipping could be capable of carrying on this traffic, under all the circumstances of this trade; so it was said in as many words in the year 1784, that the trade for the supply of your colonies cannot be carried on, by reason of the circuitous voyage which the British ships are obliged to take; and that you are at once obliged to come to the direct American trade in American ships. But my noble friend, over the way, (Lord Castlereagh) stated the ground of what was offered to be done in 1784, and of the non-application of it to this case; when the necessity of the measure then attempted appeared upon the very face of it; there was, therefore, no necessity for inquiry into the particular facts on which the measure was founded; it grew out of the situation, the particular situation, in which things were placed by the American revolution; and this shews the impropriety of the application of the argument of the noble lord who spoke last; who referred, by way of justification of the present measure, which he proposes for the adoption of Parliament, to another measure which had been proposed, indeed, and offered too; but which had been rejected by Parliament; (alluding to the draft of a bill penned by Mr. Pitt, which had been referred to by Lord Henry Petty, and partly quoted by him;) and that measure was supported by much the same arguments as the present is attempted to be supported; I say attempted, because, now the futility of the system is exposed. It was then said, "there is no danger from this; let America remain on the footing on which it stands; let its trade go on in its old channel; it will find its level, and can never hurt us." Why, Sir, this was all very plausible general reasoning, but had no specific application to the plain matter of fact of the case; because, it was well known, that it would injure the trade of this country, and, with that sense of it in the opinion of those who were best qualified to form one, the proposed measure was a bad one, it was opposed by the general, and almost unanimous voice of the country; and for that very good reason, no attempt

was made to carry it into execution. So far from it, that the very first measure which the privy council adopted, was a measure of restraint to prohibit it, and they then expressed their opinion, upon deliberation, to be, that this was a plan which it would be unwise to adopt, or rather that it was a measure in which it was wise to depart from its adoption; and it was held still further, that if any thing was brought from America to us, or taken from us to America, it should never be done but through the medium of British ships. So much for the similarity of circumstances in the two cases; in one of which there was much emergency, and in the other, none; in one of which all the circumstances were owing to a revolution in the affairs of a state; in the other, all the circumstances arise out of an established course of things; and gentlemen do not even contend there is any emergency in them; yet, even with all these arguments for the proposed measure in the former case it w ejected, and now, without any, it is proposed for our adoption. But gentlemen contend, it is needless to examine, or even to dispute, the necessity of this measure; because it is known, they contend it is known, they contend it exists beyond dispute; that the facts are so plain, it is idle to dispute their existence; and that nothing can be a remedy but the provisions of the present bill. Hence, they say, arises the necessity. The facts, however, on which this necessity is founded, they do not give us now; they either do, or they do not, know of the existence of this necessity. If they do know of the existence of this necessity, they can convey it to Parliament; and if they can, they ought to convey it to Parliament. It is their duty to convey it to Parliament, to justify the adoption of a measure so repugnant to our established laws. If they have no knowledge of this necessity, we are legislating in the dark; because they ask us to do so, and that against every principle of policy by which this country has been guided, and by which it has hitherto so signally prospered. Now, Sir, under these impressions, I could say, that instead of pursuing the system recommended by the noble lord, we ought to call on him, and those who, with him, are the friends of this bill, to point out to us the instances in which this House has sanctioned, or even countenanced a departure from the navigation laws. Sir, it has hitherto been the policy of this country to regard with jealousy every proposition to that effect; to require a reason for any measure that has that aspect; and to regard

every measure with distrust, if it has that apparent tendency. But the friends of this bill take a course directly the contrary; they take up the navigation laws as a hostile system, and if they can find any measure in our legislative history, which they think has any tendency to oppose it, they consider it as a matter of useful discovery, and exult in it as a matter of triumph, as if an attack on the navigation laws was not only perfectly fair, but even laudable. They think they have made a valuable discovery, if they find out a precedent for an attack upon the navigation laws; and so far do they carry the spirit of hostility into action, that if they do but find an instance in our parliamentary history of a temporary infringement on the navigation laws, they insist upon it, as a proof of their right to pursue a measure for their permanent suspension, which is but another word for their total destruction. They find a case which has no resemblance in its circumstances to the present, but no matter how dissimilar, it is an instance in which the navigation laws have been interrupted in their course, and therefore they tell us, "we ought to be allowed to pursue it as a precedent, because the navigation laws are of a nature so odious, I suppose, that it is our interest to have them entirely destroyed." But it seems there is a great concern and compunction felt by the governors of the West India islands, on account of the violation of their oaths, in the instances wherein they are called upon to consent to the suspension of the navigation laws; that they are sworn to preserve all the laws of the realm inviolate; that a suspension of the laws is a violation of the laws; and that a violation of the laws is a violation of their oaths. Now, Sir, this may be very laudable morality in the supporters of this bill; but I cannot help observing, that this tenderness for the consciences of the governors of the West India islands is a little whimsical, considering how they were treated on former occasions. When the colonial governors dispensed with the navigation laws, in cases of absolute necessity, and Parliament never gave them an indemnity for any other, they were not told of this point of conscience, if the act is blameable. But how does the right honourable secretary of state treat them by the instructions contained in his letter? He tells the governors of the islands, it is not necessity which I regard; it is not your consciences I regard; I regard nothing but what appears to me to be convenient; and I will show you, that what

what you thought was an excuse as a matter of necessity shall be continued as a matter of convenience; and you shall suspend the law, however your consciences may be affected by it, on account of the necessity of doing it, not only during war, in which it may possibly be thought necessary, but until six months shall have elapsed after I shall have directed notice to be given of the discontinuance of the practice. Now, what are the governors to do all this time, after the necessity, which alone is said to be the excuse, has ceased? They are to continue in the uniform practice of the violation of the law; and thus, according to the argument of gentlemen on the other side, violate their oaths in obedience to the order of the secretary of state. And the secretary of state, in the plenitude of his power, grants to the governors of the islands an indulgence to commit that very sin which the friends of this bill so much deplore; and not only does he grant this indulgence to commit sin, but he gives them an encouragement; nay, still more, he commands them to commit sin, and yet these are the gentlemen who now turn up their eyes to Heaven, and deprecate the evil of governors being placed under the former system, in a situation in which they were made so immorally to tamper with their oaths.

Now, with regard to the question, "how far it is necessary to lodge the power which this bill gives any where," (which is not proved,) I am of opinion, that, supposing it to be necessary to lodge it any where, it would be better to lodge it with the privy council than any where else. I have no difficulty in saying, that if it must be given to any body, I had much rather it were given to the privy council than to the governors of the West India islands; because I am of opinion, that the privy council could, and would exercise such a power more discreetly than the governors of the islands could; or perhaps I should say, that the privy council would make a more discreet use of their power than any other body of men would, supposing them to be equal to others in information upon the facts on which their power was to operate. But I doubt the possibility of their being able to possess that knowledge, which will be requisite for the due discharge of the functions with which this bill is to invest them; for the question is not a question of dry, abstract competency, in the privy council, to do justice to any trust that may be reposed in them: upon that none of us can entertain any doubt; but unless

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you place them in a situation in which their competency may come into action, that competency can be of no use to them, or to the public. I do not know whether they can do more than my Lord Camden did, whose instructions to the governors of the islands have been so often alluded to in the discussions which have taken place on this subject; and here it is observable, that whatever power you may give to the privy council, whatever responsibility you may attach to the privy council; however you may take away the responsibility of the governors; however you may affect to take away their discretion; it is most manifest that they must act on their discretion, while they have any power to act at all; for this bill will not alter the necessity under which they are to act. They must, after all the instructions which you may give to them from hence, act according to their discretion upon the circumstances of the case, as circumstances may arise; and you must indemnify them too, just as you did before this bill was thought of; and for the same reason you always did it, because it is impossible to avoid it. This has been verified by the fact; for when power was in the hands of the privy council, to regulate the whole of the trade between America and the West India colonies; when it was infinitely important that the privy council should exercise their authority; and when they did exercise their authority, an act of Parliament passed for the purpose; when the directions of the privy council were sent to the governors of the Wesst Indies; when that power, so given to the privy council, and by them delegated, necessarily and unavoidably delegated, to the governors of the West India islands; and that power, so delegated, was abused by some of those governors, still the power was not taken away, but left with those same governors, even although it was abused by them—why? Because Parliament knew it was impossible to take it away. But now, instead of allowing the governors to act upon their own conviction, you are going to order them what they are to do beforehand, when you may not possess the information requisite for the purpose; and when, after all, your directions are given, they must, in many cases, at least, act upon their own discretion, even though it should be contrary to the orders of the privy council. I should say, that if this bill were passed, and the privy council were acting under its authority, there might be circumstances in which it was not less the duty of Parliament to institute an enquiry on that account; because, although

although the power may have been granted by the legislature, yet a question might arise upon the propriety of its continuance—and a question might arise, whether the discretion should be left with the privy council or with the governors?—Supposing that the legislature did not take pains to make a proper inquiry in the first instance, it does not follow they should not make it in the second. I have heard of such a thing as a possibility of the legislature having conducted itself improperly; but if, after having done so, we were to say, that the thing should never be altered, because of the reverence we all ought to have for the legislature, that would be equivalent to saying, that if the legislature has once conducted itself imprudently, it must conduct itself imprudently to the end of time. Now let us suppose, instead of this being a bill about to be passed into a law, it had been a law; that instead of our having to consider whether we shall make this law, we were considering a law already made; and the greatness of the shipping interest of this country were to come forward, and to complain to Parliament of the destructive effect of the act of Parliament, would you refuse to hear the complaint? would you think it a fair or even a sensible answer to say, "We have followed the practice prescribed by this act now for thirteen years—you tell us that you are competent to the ample supply of the West India colonies—you tell us, that the great interest of the empire requires that you should have the exclusive right of furnishing these supplies; that the navigation requires it; that without it the country will decay in strength, and dwindle into weakness, and finally be ruined?" Would you, I say, think it a sensible answer to say, "Inasmuch as we have done this for thirteen years, we will go on?" Do you conceive that these consecutive acts would be an excuse for their own continuance, and release you from the duty of entering into an inquiry on the subject when these matters are stated to you? Is it too much to say, that you ought to inquire whether, and to see whether, the public interest does, or does not, really demand a change of such a system? I apprehend, Sir, that in such a case, even if we had an act of Parliament under which we had thus acted for thirteen years, it would be the duty of Parliament to institute the proposed inquiry; and if so, how much more is it the duty of this House, to institute an inquiry into the propriety of a mere practice, which is not a law, before you sanction the practice

tive by law—and that is all which the shipping interest ask of you. They do not desire you to say, that this measure is not necessary, or that it ought not, under any circumstances, to be adopted; they only desire you not to adopt it without ascertaining that it is necessary. Upon this practice the noble Lord's argument is, that Parliament ought to declare, immediately, that the power cannot but be necessary in time of war. I am afraid it would turn out upon inquiry, to be necessary to do something of this description in time of war; but of this I am quite sure, Parliament ought not to deliver that opinion, without hearing those who are of another. I am not calling on you to say, that this practice of 13 years, on which you rely so much, is not necessary to be continued; I am not saying that it is not absolutely necessary, that an intercourse should subsist between our West India colonies and America, and that that intercourse should take place through the medium of American shipping; but I am saying, that I do really think it is extremely important to ascertain, whether it is necessary or not; and supposing it was totally unnecessary, I have no more wish than the noble lord has, to say any thing that may savour of an illiberal spirit with regard to America. Far be it from me to say any thing by which any commercial jealousies should prevent you from enjoying those advantages which may arise from good amity with America, and that you should not relax, for your own convenience, your own laws. Let America profit as much as she may, by any system which we adopt, while that system is serviceable to ourselves; or, still more, let America profit as much as she may, by our adopting that which our own interest requires. But while I say this, I cannot shut my eyes to the principle on which America proceeds in a sort of discussion, by which she appears not to rely on the force of reason, neither does she refer to the last resort of nations to enforce their will—the thunder of cannon. But she says, "that she can make a commercial war upon you." It is one of the propositions which are most current in America—"that, by shutting up her ports, and by denying her produce to our colonies in the West Indies, she can reduce Great Britain to her own terms."—That is the favourite topic in America. Why then, I would say, that I would not put myself more in her power. I would not become more dependant on her than I could help. Now, every body must admit, that this bill, and

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especially the arguments by which it is supported, make us very dependant upon her; because they both proceed on the probability that we are in her power with respect to the very existence of our West India colonies; and if you proceed on a recognition of that principle, every day your inability will increase; because, in proportion as America gets hold of this trade, in the same proportion exactly your North American colonies are excluded from it, for it is quite impossible for your North American colonies to come in competition with America in trading to the West India colonies. You are informed, by papers on your table, that the ability of your North American colonies will decrease, day after day, and that of America will increase in exact proportion to it; and therefore you see, in this particular, as your power is decreasing in our North American colonies, your dependance on America is becoming greater. But satisfy yourselves first of the existence of the necessity; and do not let us, by argument and presumption, without proof, put ourselves under America, and at her mercy, and in the state in which we are to be told, as in the year 1784, that we could not do without America. It may be said, and we are to argue upon it, that this measure is not to touch any negotiation upon which public rumours are on foot, but we must act as if there had been no such thing; I say, that if you go on with this trade, the British colonial system will come to an end altogether; you will be disabled from carrying it on, because in time the whole of the British shipping will have vanished; for in time of peace even, ships cannot be restored. In the first place, it will take a course of years to bring you into the situation in which you were; for that reason, you should enter into an enquiry, that you may ascertain what you now have left, and what you are in possession of: for, under this system, every hour your situation grows worse, and more and more difficult. This is not like the operation which the war has upon your seamen; for when the war terminates, by the provision of the navigation acts, you have your seamen again; provided you have your shipping, all is well, your trade will go on. For, under the navigation acts, you permit only a given proportion of foreign seamen to navigate your ships, even in time of war; and so when the war ceases, there your ships are, and you have your men to navigate them; you do not, in any case, even in time of war, permit your ships

to be entirely manned by foreigners; you being by your navigation laws bound to continue and keep up the proportion of British seamen on board them. But what will you say to the operation of the system of this bill which tends to annihilate the British shipping? for, under this system, every ship that is used up is so much dead loss, which can never be repaired; as not another will be built to supply it. What motive can there be to do so when there is no employment for it? This is like living on your capital instead of subsisting upon the produce of it; for there can be no fresh produce to supply the deficiency as it arises; you render it impossible to renew your shipping. Nor is this all. Although this is enough to bring on your inevitable ruin, should the war continue, but it works more rapidly towards your destruction in another way; for not only does it prevent your seamen from being reared up, by taking away the source of their future employment; but it creates an immediate drain upon those you have already; because, by enlarging the scope of the American shipping trade, you enlarge her demand for seamen, and by this system America is already so overgrown in the shipping trade, that her own seamen, fast as she is rearing them, are by no means equal to her wants; and the natural effect of that is, that she will take away yours; and the truth of this the honourable baronet (Sir W. Young) who spoke from under the gallery in support of this measure, admits he has told you, in as many words, that a great many British seamen are daily bought up by America in open markets, so that you are not to suppose that the evils of this system will cease with the war. Therefore, arguing this bill upon the supposition of the noble lord, that it only is to reserve to the privy council the power which has hitherto been given to the governors of the West India islands; I say, since the effects of it are such as I have stated, you ought not even to do that without enquiry. But when we come to look at the true description of this measure, it is utterly impossible that a British Parliament can be any party to it in its present state. Can a British Parliament be reconciled to this act, the result of which is to take away all the British shipping, and with it all the British seamen, for the one follows the other, and both are absolutely inevitable, supposing the war to be of long continuance? I should like to hear any man argue this point. I was very anxious to hear what the noble lord had to say upon this part

part of the subject; and, says the noble lord, the Americans are not blind enough not to know that your colonial system is an artificial system, an artificial and a constrained system. [No! no! no! from lord Henry Petty.] I should be very happy to be satisfied that I have mistaken the meaning of the noble lord, but, I certainly did understand him to say, that the Americans well knew our colonial system to be an artificial and constrained system. It would be very gratifying, undoubtedly, to me to suppose, or rather to be satisfied, that the noble lord's meaning, as conveyed, or intended to be conveyed, by his words, did not give any degree of countenance to the provisions of this bill, as far as it has the effect of promoting that impression; and I should be glad the forms of debate could afford to me the satisfaction of hearing the noble lord, at once, disavow that sentiment. But that, I must be content to wait for, in its turn, according to the rules which, for general convenience, are made to govern our debates. If the noble lord did mean that or any thing like it, then I say we must be content to surrender the whole of our navigation laws, and do a great deal more than this bill professes to do; for, after this bill passes, the West India colonies are no more ours than they are the colonies of North America. I will venture to say, not one half so much, except that of the burthen of them; all the profits of them will go to America, and the burthens and disadvantages of them will, alone, remain to us. For there are disadvantages, and very great disadvantages, in all cases to a mother country from her colonies, and those belong to ours in the West Indies. It is always a question of balance between the advantages and disadvantages of a colony, on which depends the policy whether you part from it or retain it; for we are obliged to defend it in time of war, and we are under the necessity of affording a great and expensive force for that purpose; nay, in some cases, we are obliged, not only to carry on, but to commence war, on account of our colonies, and it is historically correct, that many of our wars have been on their account. Many of our wars, I say, are of that description, nor is this the only inconvenience we suffer on account of our colonies; for it has been a principle of our policy, to impose restraint on ourselves, for the purpose of giving our colonies an advantage in our markets over the produce of other countries; and we have often been

obliged, indeed we are in the daily habit of obliging, our own people to pay dearer for the articles of our colonies than we can buy them for, of other countries. Why? because we have advantages from them which we cannot claim from those countries who are not dependant upon us; and the advantages, upon a view of all the circumstances, are greater than the disadvantages. But what does this bill do? It proposes to give up all the trade, and all the benefit of the colonies, to America, and that we shall keep the expences and the burthen of them. I will ask his Majesty's ministers whether, after the passing of this bill, there will be any security that one ounce of colonial produce will ever again come into Great Britain? Suppose the Americans, who, by this bill, are empowered to carry your colonial produce where they please, should choose to carry your colonial produce to all the markets of Europe (for that, most undoubtedly, they may do, under the provisions of this bill), not one hogshead of the sugar of your colonies would come into this country. You may thus lose, at once, all the advantages, while you retain all the inconveniences of our colonial system. You are obliged to burthen your people with very heavy duties, for the purpose of supporting this colonial produce, and you are now giving up the advantages of that produce to America: you are now giving to America more than if you were about to enter into a treaty, to cede to her the whole of your colonies for ever; for, in that case, you would say to her, Since you must have the colonies to yourselves, you must take the burthen of them as well as the advantages; but, instead of that, we give to America the choice, at least, of taking all the advantages, without their being liable to one of the burthens of the West India colonies.

But the honourable baronet (Sir W. Young) was pleased to state, that it was wise to repeal your navigation laws in part, for the sake of restoring your commerce. I will not argue the general proposition of what is of a superior, or what of a subordinate or secondary nature; whether commerce is not essential to the support of the nation, and, consequently, to our naval strength; and whether, without commerce, we could support the state, or could have a navy; these are general propositions, which, as I have said already, I have no inclination to dispute; for, I always

ways distrust them in argument, because I am never sure that they apply to the case in discussion.

The general proposition of the honourable baronet therefore, that the protection of trade is essential to the welfare of the empire, I do not dispute; but the question is this —is the bill now before us of that description which will tend to the protection of trade in the manner which the honourable baronet supposes? Of what use is it, that we should hear stated and established these general propositions which are true in all cases, unless the measure now before us falls within their policy? I may, on the other hand, with as much truth say, and insist upon it, as a counter-proposition, that just in proportion as you surrender your navigation you surrender your commerce. But the question is, whether the case, as it arises out of this bill, comes under the one or the other of these propositions. I allege it does: I do say that, by this bill, you lay the foundation of the ruin of your trade, by the surrender of your navigation: I do say that, by this bill, you surrender your navigation to a degree that is absolutely extravagant, besides being a total surrender of the power of Parliament to revise what may be done under it, such as hitherto has been the habit from year to year. See what the necessity, which ministers contend to be the foundation of this bill, will lead them to, and does lead them to—that of surrendering the navigation of this country, so as to put the American shipping on a footing with the British? That would be a pretty strong thing for a British Parliament to consent to; but this is much stronger, for here you relax your navigation law, in favour of American shipping, to a degree to which it never was relaxed in favour of British shipping. Sir, I do not know that the framers of this bill know it, but it, most unquestionably, is the fact, that the trade to be carried on with the colonies, in British shipping, is confined to certain specified articles; whereas, to the American shipping, it is unconfined and unlimited. For, when once the American ships are got into your colonies, they may take the produce of these colonies whithersoever they please, all over the world, and they are not restricted so much even as the British shipping is. Good God! what a spectacle is this to exhibit to the world! am I in a British Parliament beseeching and imploring it not to pass a bill which has for its object such enormous effects as that of taking off

restrictions

restrictions upon a trade to be carried on with British colonies by foreigners, which are continued with regard to British subjects? Why, Sir, this willingness to erase out of the statute-book the very name of your navigation law, is a disposition, guiding the councils, and changing the ancient policy of Great Britain—it is a change, indeed, which the French statesman himself would enjoy. He could have wished no other; he had no other desire, as he has often expressed, although our commercial law affected France less than any other maritime power in Europe; for they never were our rivals in the carrying trade, and yet they called our navigation laws an odious hostile code, by which England made war on the industry of all nations.

What a triumph to our enemies must it be, if the Parliament of Great Britain agree to give up those laws which their enemies have so long regarded as their bane, while they are the foundation of our greatness!

But then it may be said, that although the powers thus given by this bill are so enormous, still you will not impute to the privy council any intention to use such powers to the ruin of their country; and it is as well for the privy council to adopt measures for the general advantage of our trade and navigation as for Parliament to do so; and it cannot be supposed that these powers will be used by the privy council for any other purpose than that of the interest of their country, however enormous these powers may appear to you to be. Why, Sir, if these are powers unfit to be used, as most certainly they are, they are unfit to be asked for; and if asked for, they are unfit to be granted. And certainly, in the very extensive scene in which power is here claimed, it is impossible it can be executed; and why should any set of men have a power by act of Parliament to ruin their country? Is it to be considered as a ground on which concessions may be made by us? Is it because ministers must be supported? and that it is not to be supposed ministers would use the power in the latitude with which it is given, in order that Parliament may shew there is no bound to the liberality of its concession? There certainly may be, in some cases, a great difficulty, in others, an impossibility, to define precisely or exactly what is necessary to be given by way of discretionary power to ministers, or to express specifically what power should be withheld from them; and therefore a general and undefined

fined power must be given, and we must trust to the discretion of ministers in the use of it: such was the case when the habeas corpus act was suspended. At the time when that measure took place the country was put to the disagreeable necessity of defending itself, in that mode, against a few conspirators, and put for that purpose the liberties of all the subjects of this realm under the care of the executive government of the country: you could not accomplish your object in any other way. For, although you had every reason to be assured that the conspirators were but few in number, yet you could not draw a distinction between them and the rest of the King's subjects, until after they were tried; and, therefore, from the necessity of the case, you were obliged to make the power general, leaving the exercise of it to his Majesty's ministers, and they were to detain only those against whom there were founded suspicions. But this general power is never necessary to be given, when the thing to be done can be specified; so here, in the articles to be carried away by neutral ships from your colonies, what is to hinder you from specifying rum and molasses? particularly after what has been said by an honourable baronet, by which it appears that there has been a specification, and an enumeration of all the articles allowed to be taken away from the colonies in neutral ships: if so, specification and enumeration are possible; therefore, there can be no necessity for these unqualified and sweeping powers.

Sir, when I am called upon to agree to the giving of power to others, which power may be exercised discreetly, perhaps, but very differently from that which I expect at the time of granting it, a question necessarily arises in my mind, what is thought upon that subject by those who demand the power, and by whom it is to be exercised? How do I know what power ministers think necessary to exercise, except the power which they claim? Have I any other criterion to go by? And that is a power which no man will say can be tolerated, if exercised to its full extent. In the hands of one man, this power may be an absolute nullity; for he would use no part of it, and, therefore, it is useless to give it; in the hands of another it may be executed to a ruinous extent; and for that reason, dangerous to give it; and, therefore, under this artificial and constrained system, (for I cannot help retaining the use of these words) it is impossible to go on, and therefore much better

to

to give it up. How do I know that the idea I have of the use to which any of the powers to be given by this bill, is that which they would wish to make of it? I own I do not know what they mean by this bill; and as I have said already, it would be an affront to them to suppose that they have no meaning, which is of itself, a reason why I should not assent to this bill. Sir! I see no bounds, whatever, to the power which the privy council is to have to give an unlimited indulgence to American shipping: and I see nothing, whatever, in this bill, which gives to the privy council any authority to make the slightest regulation with reference to British shipping; so that the indulgence is all to the American, and the rigour is all to the British shipping. [Here he read a clause in the bill to prove this observation.]

Sir, is it not monstrous that such a provision should exist, in any shape whatever, in a British act of parliament? and yet, here it is; a power to grant, in favour of American shipping, that which cannot be granted to British shipping; is it possible that such power can be given by a British parliament? Sir, I really have no idea that ministers are aware of the meaning of it.

These, Sir, are the reasons I have to shew that this bill ought not to pass into a law. I have shewn the danger of assenting to any measure of this kind without inquiry; I have shewn that it is different from any measure that ever was yet adopted in Parliament; I have shewn that no situation in which this country can be placed can ever require such powers to be given to any body of men in it; I have shewn the intolerable insult which it offers to the British shipping by placing it below that of a foreign state; I have shewn the ruin which will attend an attempt to put in force any thing like the extent of its provisions. Is it then, after all this, is it too much to ask of a British House of Parliament, not to destroy the best interests of the British empire by destroying its navigation, and that without the regularity of an inquiry? If you thought the thing was of no worth, you ought to observe more decorum in the destruction of it. If gentlemen will contend it is improbable the privy council will exercise improperly the power to be given to them by this bill, I answer that the prospect is not flattering in that particular, by the disregard and contempt which you have shewn for the law already; when you yourselves will not venture to define the use which you intend

intend to make of the power when you have obtained it, and when you shew that you regard your colonial system as an artificial and constrained system; so that, after this, there may be a total abandonment of the old system of the navigation laws. Sir, if ever there was a time in which it was the duty of Parliament to guard against the introduction of these destructive principles, by which the navigation laws are threatened with annihilation, and more particularly against giving any person in the state the power of producing that effect, the present moment is that very time; and I think that the necessity of caution is considerably increased by the very arguments which have been urged in support of this bill to-night. Good God! Sir, what has been the ground on which this bill has been defended? Ministers are determined, it seems, to carry every thing by storm; for they do not reason on the wisdom or the policy of the bill, but they recommend it to this British house of Parliament, by shewing that it is of the same kind as other acts of hostility which have, at different times, and under different circumstances, been committed against the navigation laws of Great Britain; so that the recommendation to the bill is, its resemblance to those measures which are hostile to the navigation laws! I say, that if this bill should pass into a law, a foundation will have been laid, by which ministers may come to Parliament with any claim which the intoxication of successful power may dictate or suggest. They may think it necessary to relinquish the whole system of your naval strength: there is nothing which may not be justified under this bill; and, if any body should attempt to resist the extravagance of the application, they have nothing to do but to hold up this bill and say, "See here, the power which the legislature has confided in us; we must have this measure; it is essential to the system which Parliament has delegated to us in its wisdom;" to which, I know not what answer any one could make.

Sir, I had much more to add, but after having trespassed on the patience of the House so long, I must pass it over. I can only express a confident hope that Parliament (a British parliament) will not hold out such a spectacle to the world as the recognition of such a principle as this bill contains would be: which would be only doing that by a law of your own which your enemies, aiming at your destruction, have hitherto endeavoured in vain to accomplish;

who have, for upwards of a century, been endeavouring to impress upon the world a conviction that your navigation laws are at war with the rights, and hostile to the interests of other countries. I trust that you will not do for your enemies, that which they have never been able to accomplish for themselves; I trust that you will not deliver up to ministers the whole foundation of your greatness; I trust you will not think that you will triumph by teaching foreign powers to say, The policy of Great Britain is changed; they have given up the system of their navigation laws, by an act of Parliament, into the hands of the ministers, who now see it will not do for them any longer to maintain that oppressive preponderance by which they were the masters of the ocean; they have given up that system, and gradually will it be suffered to die away under the wisdom of a truly enlightened administration, who will not suffer that terror and death to the hopes of other nations at sea, the navigation law, to stand any longer in the way of those great, philosophically pacific arrangements which they have formed.

Sir, I trust that a British Parliament will never enable the enemies of Great Britain to hold out such language to the world: I trust that a British Parliament will not give up that guardian power it possesses over the interests of the British empire, by passing a bill which contains provisions that no man has yet been bold enough to say he would enforce to their full extent: I trust you will not give up that system by which you have grown up into your present power; a system on the preservation of which it is my entire conviction, that not only your prosperity, but your very existence entirely depends.

The Attorney General replied to the Master of the Rolls, in support of the bill, and contended, that it went merely to place under the controul of his Majesty in council, and by law, a practice which, for thirteen years past, had been uniformly assumed by the governors of the West India islands, without law, and upon the presumption of future indemnity. He contended, also, that it was the very self-same principle of controul and discretionary power of dispensing with the rigour of the navigation laws with respect to America, and the East India trade, which had existed in his Majesty and the privy council ever since the conclusion of the American war, and this too under bills successively brought in by a late right honourable gentleman,

gentleman, and supported by his supporters, without any of those apprehensions for the safety of the navigation laws, or the ruin of our commerce, our navy, and our national power, which seemed that night to excite so much clamour in the vigilant guardians of our prosperity and safety.

Mr. Perceval spoke in opposition to the bill, and contended, that neither the noble lord who introduced it, nor those who supported it, really understood it: for that it did not merely, as they had alleged, open to the Americans the advantages of our navigation laws, with respect to the furnishing our West India islands with provisions, and other produce and manufacture, but that it opened the same privilege to all neutral ships of all nations whatever.

Mr. Windham conceived that it was totally unnecessary that his Majesty's ministers should rise *seriatim* to answer arguments which had been so repeatedly advanced and overturned. If a bill of indemnity, however, had been spoken of, it was not the time to desire that yet; something must be done first, and when that time did arrive, he should hope that the House would indulge him so far as to say, that they did not see the necessity of it until Earl Camden came forward to ask for his indemnity for having pursued a nearly similar line of conduct.

Mr. Rose again insisted that the present measure would be a gross infraction of the navigation laws.

The question was very generally called for, and the House divided,

For the third reading	85
Against it	30
Majority	—55.

Previous to the passing of the bill Mr. Prinsep brought up his promised clauses, which, after some alteration, were adopted, and added by way of a rider to the bill, after which the bill was passed, and was ordered to the Lords.

The bill for regulating the rank of the officers of the yeomanry and volunteer corps was brought in, read a first time, and ordered to be read a second time the next day.

Mr. W. Smith gave notice that he would, on Friday next, move for an account of all offices held by the different branches of the royal family, together with the salaries arising from each.

The different orders on the list went through their regular stages, and the House adjourned at half after two in the morning.

HOUSE OF LORDS.

WEDNESDAY, JULY 9.

The further hearing of the appeal "Rennie *v.* Todd and others" was postponed till Friday.

The further consideration of the case of "Lucina *v.* Crawford" was postponed till Friday.

The Irish poor bill, the Irish spirit duty collection bill, the Irish customs bill, and the assessed taxes allowances bill, were read a third time and passed.

Mr. Alexander, and several other members of the House of Commons, brought up the American intercourse bill, the Greenwich chest bill, the Greenwich hospital bill, the Irish revenue bill, the Irish prizage bill, the Scots distillery bill, the postage bill, and the Westminster buildings bill, which were read a first time.

The Greenwich chest bill and the Greenwich hospital bill were ordered to be read a second time on Friday.

The Earl of Lauderdale moved for an account of extracts made in the court of session in Scotland, from 1800 to 1806, and for other documents respecting the proceedings of that court, which were ordered.

Mr. Hobhouse, and several other members of the House of Commons, brought up the Portsmouth and Dover work bill, and the land-tax commissioners mistake bill, which were read a first time, and the former ordered to be printed.

Adjourned.

HOUSE OF COMMONS.

WEDNESDAY, JULY 9.

Upon the motion of Sir A. Wellesley, that the deputy clerk of the crown should be ordered to correct the mistake committed by the returning officer for Carlow, in inserting in the return the name of Arthur instead of that of Michael Symes, the precedent for a similar correction in the case of the borough of Newton was read by the clerk. The returning officer for Carlow was examined at the bar, and the motion of the honourable baronet was agreed to.

Upon the motion of Mr. C. Wynne a new writ was ordered for Buckingham, in the room of the right hon. Thomas

mas Grenville, who has accepted the office of president of the board of controul.

The committee upon Simpson's divorce bill was postponed till Tuesday.

Mr. H. Combe brought in a bill to repeal the additional force act for London. Read a first time, and ordered to be read a second time on Friday.

Mr. Vansittart brought in bills for reducing the bounty payable on the exportation of refined sugars and loaf from Great Britain, for warehousing goods without payment of duty, for permitting the importation of French wines from Ireland in bottles or flasks, duty free, under certain restrictions, for granting an additional bounty on the exportation of silk manufactures from Great Britain, for allowing certain articles to be exported from Gibraltar and Malta to our North American colonies, for the better preventing the forgery of stamps, for extending the time of purchasing certain quays and wharfs in London, for inquiring into the state and boundaries of Windsor forest, in order to ascertain whether any encroachments have been made therein, for allowing the importation of ship-timber from our North American colonies, for repealing so much of an act of James the Second, as prohibits the importation into Great Britain of gunpowder, arms, and ammunition, manufactured in Ireland, for allowing raisins, currants, and figs, to be exported from Great Britain, duty free, under certain circumstances. These bills were severally read a first time, and ordered to be read a third time the next day; as was a bill brought in by Sir John Newport for further continuing a certain act for regulating the duties and drawbacks payable in Ireland.

The London and Westminster inland navigation coal bill, the land-tax commissioners' name mistake bill, and the ordnance land bill, were read a third time and passed.

Colonel Wood complained of what he called the precipitate manner in which the latter bill, which appeared to him of great importance, was passed through the House without a single remark upon it.

Mr. Vansittart said that it went through the regular stages.

The Speaker observed, that the bill having passed, no conversation could now be permitted to take place upon it. At the same time he felt it his duty to state that the bill had regularly

regularly gone through the House, and also regularly been mentioned in the orders.

The malt bill, the crown lands bill, the excise upon Irish hops, window glass, and tiles bill, the innkeepers' allowance bill, and the masters in chancery additional allowance bill, were read a second time, and ordered to be committed the next day, with the exception of the first, which was ordered to be committed on Friday.

ROYAL FAMILY ANNUITY BILL.

Mr. Vansittart brought in a bill for granting additional annuities to the younger branches of the royal family, &c.

Colonel Wood said he took great shame to himself that he had not, by attending his duty on a former evening, had an opportunity of stating his sentiments upon this subject when it was originally brought forward. That such a proposition should have been submitted to Parliament under the present circumstances of the country, and particularly by the noble lord so distinguished for the profession of economy, was to him, he confessed, no less a matter of regret than of astonishment. The House in general, indeed, must have been taken by surprise in this proceeding, for nothing had, he ventured to say, ever been brought before Parliament in a similar manner. He begged the House to recollect that the noble lord had, in the first instance, introduced this measure to the House as a bill merely to rectify a mistake in a former act, but immediately afterwards comes a proposition to make a considerable increase in the salaries allowed to the junior branches of the royal family, recommended by a message from his Majesty. When the situation of the country was taken into view, when it was considered that the income tax was raised to ten per cent., that several persons of a certain rank in life paid 17½ per cent. and that, indeed, most people paid no less in public contributions than fifty per cent. of their whole revenue, the country must be amazed to hear of this bill. For the illustrious personages who were the objects of this bill, he professed the utmost respect, and he would be very ready to pay his own proportion of any contribution that might be necessary to the maintenance of their splendour and happiness. If the Lords and Commons were alone called upon for a contribution of this nature, he would most cheerfully assent to it; but, feeling for the people, who were already so borne down, he could not consent to increase their burthens,

thens, particularly upon such grounds as were stated by the noble mover of this bill. That noble lord dwelt upon the depreciation of money, and the enhancement of provisions, which so much affected other people, as a reason for this bill, but he took no notice of this fact, that the royal persons to whom this bill referred were quite exempt from the taxes which so materially operated upon others, and that the amount of such exemption formed a considerable virtual addition to their salaries; and also, that each of them possessed either a civil or military office, or both, yielding, in general, not less than four or five thousand pounds a year. If, therefore, the situation of these distinguished persons were compared to that of the nobility of the country, who paid taxes, how much would the revenue of the former prove to be superior; and yet to this revenue the noble lord proposed to add one-third, which, by the by, upon further explanation, appeared to be one-half. The honourable officer expressed his regret that the noble lord to whom he alluded should not have been present, to hear those observations which a sense of duty urged him to offer, and which he did not mean to address with any feeling of opposition to the right hon. secretary, to whom he did not mean to impute the slightest blame. For that right honourable secretary was doing nothing more than his duty. But upon the first occasion that should occur in the presence of the noble lord who moved this bill, he would enter further into the subject, and fully state his protest against such improvident waste of the public money.

Lord Temple had no doubt that the honourable gentleman acted from his conception of public duty; but he could wish that at least the honourable gentleman could have reconciled with that conception of duty, to postpone his observations until his noble friend, to whom they were more particularly addressed, should be present to hear them. Had the honourable gentleman been in the House to hear the arguments of his noble friend on a former evening, most probably the objections which he urged on that evening would never have been started. If, in addition, the honourable gentleman had been aware of that which was mentioned only the preceding night, namely, that the establishments of tables, coals, candles, &c. heretofore allowed to the princes, was to be withdrawn, and which establishment was nearly equivalent to the proposed augmentation, the honourable member would have been, perhaps,

still less disposed to resist this bill. The noble lord was persuaded, that every just reflecting man must feel that an adequate increase of allowance should be granted to the members of the royal family, at a time when the salaries of even the subordinate clerks in the public offices were generally augmented in consequence of the depreciation of money and the enhancement of provisions, which formed the grounds upon which this bill professed to rest.

Colonel Wood rose to reply, but the Speaker said he was not possessed of such a right.

Sir William Elford supported the bill. But he disclaimed doing so from any wish to court the illustrious persons to whom it referred; not one of whom had he the honour of knowing or being known to. From a sense, alone, of public duty, and a wish to sustain the honour of the monarchy, was he induced to vote for this bill.

The motion was agreed to, and the bill was ordered to be read a second time the next day.

The quarantine bill, the oil of vitriol bounty bill, and the insolvent debtors' bill were reported. The two former were ordered to be read a third time the next day.

Sir William Elford said, that understanding the insolvent debtors' bill was to be re-committed, he wished to have it re-committed to a committee above stairs, in order to save time, the honourable baronet adding that he had some new clauses to propose.

The Speaker suggesting that such was usual in bills of this description, the bill was referred to a committee above stairs.

On the motion of Lord Temple, that the House should the next day resolve itself into a committee, to consider of the penalties imposed by certain acts upon ingrossing and forestalling bark and hides,

Upon the suggestion of Mr. Fellowes, the consideration of certain other penalties, relative to the same habits, was ordered in the said committee.

The report of the committee upon the message from the Lords respecting Lord Teignmouth, was farther considered, agreed to, and an answer ordered to be sent to the Lords conformable thereto.

The lottery bill was read a second time, and committed for Friday.

The Newfoundland bounty bill, and the sugar drawback and bounty bill, severally went through a committee, and the reports were ordered to be brought up the next day.

Upon

Upon the report of the committee relative to the woollen manufactures being taken into farther consideration, and agreed to,

Lord Temple moved for leave to bring in a bill upon this subject; but stated that, from the way in which the committee had taken it up, it was impossible to do any thing further in the business until next session, and, in the interim, all parties interested would have ample opportunity of considering the subject. He wished, however, that the intention of the House should be intimated to these parties, by having leave given to bring in the bill. Leave was given accordingly.

The House resolved into a committee upon the Nabob of Arcot's debts bill.

Lord Henry Petty proposed clauses to empower the commissioners under this bill to apprehend persons refusing to attend, and to commit persons refusing to answer questions; also to order the commissioners to make a report of their proceedings to Parliament at least twenty-one days after the meeting of the session, and from time to time afterwards, such reports to comprehend lists of the claims preferred, and of the decisions provisionally or absolutely made thereon, together with a statement of the grounds upon which such decisions were made.

After some conversation between Mr. Perceval, Mr. Windham, Lord Henry Petty, Mr. Paull, Mr. Grant, and Mr. W. Keene, these amendments were agreed to. The House resumed, and the report was ordered to be brought up the next day.

Mr. Moore rose, pursuant to notice, to call the attention of the House to the subject of the calico-printers. The evidence to which his motion would refer had now lain before the House for a considerable time, without any report being made upon it, and this could not be considered by any means fair towards any of the parties concerned, but particularly towards the petitioners, who had been for many years applying to Parliament for redress. Their case was of such a nature as to call for a satisfactory decision, and he felt encouraged to persevere in his exertions to obtain it, from the result of the investigation respecting the woollen manufactures which the House had heard that day, and which he had never relaxed his endeavours to produce. While the parties in that case were left in suspense, the determination of their business being long postponed, great distress prevailed among them; and such must naturally be

expected to arise among the parties in this instance also, if the House declined much longer to decide upon the object of their application. He did not mean to propose that the House should come to a final decision upon the subject in the course of the present session, but merely to refer it to a committee, who would not, he ventured to state, require more than one hour's deliberation to determine upon it, in such a way as should satisfy the parties, and form the basis of a legislative arrangement, which he pledged himself to bring forward early in the next session.

Colonel Stanley was glad to understand that it was not the honourable gentleman's intention to propose any legislative provision in the course of the present session, as the attendance was so thin from the northern part of the country, to which this business was so particularly interesting.

The motion was agreed to, and a committee appointed to sit the next day.

General Fitzpatrick laid on the table the estimates for additional pay to the officers of the army, and gave notice of his intention to move resolutions grounded upon those estimates, in the committee of supply, on Friday. The right honourable gentleman thought it proper to inform the House that it was not proposed to extend the increased pay to a certain rank of officers in the militia, who, for obvious reasons, stood in need of no such addition. It was therefore meant, as there was a clause in the militia act, extending the same pay to that body as was received by the regular army, to prepare a short bill, which his right honourable friend (Mr. Windham) would move for the next day, and the object of which would be to amend that clause so as that it should not interfere with the resolutions which he should have the honour of submitting to the committee on Friday.

Mr. Windham gave notice of his intention to make the next day the motion referred to by his right honourable friend.

Mr. Huskisson asked to what degree the proposed augmentation was to be carried, and to what class of officers extended?

General Fitzpatrick replied that the augmentation was to extend to all ranks in the regular army, but to none above subalterns in the militia. He felt that it would be inconvenient to go into each article of augmentation at present.

The Speaker observed, that there being no question before the

the House, such statement could not be regularly gone into, at least without creating a debate.

Mr. Huskisson gave notice of his intention to move, on Friday, certain resolutions respecting the revenue and expenditure of the country. These resolutions, the honourable gentleman added, would not be of the same nature with those which had been annually submitted to the House for some years back, but would relate rather to the mode of making up the public accounts.

The accountant-general's bill was committed. Report the next day.

The Irish post road bill was read a first and ordered to be read a second time the next day.

The bankrupt laws bill was read a third time and passed.

The papers presented by the secretary at war were ordered to be printed.

SUPPLIES.

Lord Henry Petty moved that the House should go into a committee of supply, and that there should be instructions to the committee to make compensation to the commissioners of naval inquiry, and to make some allowance to the commissioners of military inquiry; and that the Veterinary College petition, and Bell Rock report, should be referred to the committee. Ordered.

In the committee Lord Henry Petty stated, that the first resolution which he should have to propose was one respecting an increased allowance to the Princess Sophia of Gloucester, founded on the particular circumstances of her case. The other Princesses had not lost their parents, and had the benefit of survivorships, which was not the case with her. Instead therefore of 4,000*l.* annually, which had been voted before, he would now move that an allowance of 5,000*l.* a year should be made to the Princess Sophia of Gloucester, in lieu of 4,000*l.* which had been charged on the aggregate fund; and also an additional allowance of 2,000*l.* to commence from the death of her mother the Duchess of Gloucester. Agreed to.

The next resolution which he had to propose was a compensation to the commissioners of naval inquiry, who had drawn near to the close of their labours. This, no doubt, would be granted with pleasure by every member of the House. He therefore moved, that the sum of 26,500*l.* should be granted to the commissioners of naval inquiry,

as a recompence for the diligence and ability with which they had discharged the trust reposed in them by Parliament; and that this sum should be paid without any fee or deduction whatever. Ordered.

He next moved that 10,500*l.* should be granted on account to the commissioners of military inquiry; and that this should be paid without any fee or deduction.

Mr. Paull agreed most cordially in the grant that had been made to the naval commissioners; but as to the present resolution, he thought that we ought to see a little more of the labours of the military commissioners before such a sum was voted for them. As yet they had done nothing to deserve it. But he would not insist on the objection if the noble lord was resolved to carry his motion.

Lord Henry Petty said that the sum was different from that granted to the naval commissioners, and the sum was only granted on account. He agreed that we had not equal experience of their services, nor could we as yet; but as nobody could say that they had not done their duty satisfactorily, it was reasonable to grant this sum on account. Besides, the honourable gentleman seemed to have forgot that they had already presented a laborious report to the House, stating a particular abuse, and he was happy to have it to state to the House and the public, that in consequence of the discovery which they had made, and the steps taken upon it, government was in possession of security for the balance due to the public.

Mr. Windham said that the principle upon which the honourable gentleman's argument seemed to proceed was, "no abuse, no pay." Were the commissioners to be paid only in case they discovered abuses? It was rather to be wished that they should have nothing to discover in this way.

Mr. Huskisson stated, that commissioners had applied to the late government, and that it had been deemed expedient to make them some allowance on account. In commissions of long continuance this would be, in general, absolutely necessary.

Mr. S. Le Fevre supported the resolution from the knowledge that he himself had of some of the commissioners, and his observation of the diligence with which they did their duty. He suggested to the noble lord whether some allowance should not be made to a meritorious set of commissioners, he meant those for investigating the claims on the New Forest?

Lord Henry Petty said, that this had not as yet particularly engaged the attention of government, but that the suggestion would be attended to.

Mr. Tyrwhitt Jones considered this was rather an unprecedented mode of granting compensation. He thought that it ought not to be established as a precedent that allowances should be given on account, otherwise account would go on on account; and this was the mode in which the 450 millions of unaudited accounts had been raised.

Mr. Paull stated, that no compensation had been made by the late government to the commissioners of naval inquiry, and he thought no allowance ought to be made to the present commissioners till their labours drew to a period.

Mr. Windham observed, that it might be a commission that could not go on without some allowance in the mean time; and if, in every case, we were to wait till the close of their labours, we could not know what bad effects this might have on such labours.

Mr. Burton observed, that after the two first years of the labours of that deserving set of commissioners which had been appointed some time ago to investigate the public accounts, compensation had been annually allowed them for the services of the preceding year. This was a precedent for money on account, though the other mode was the more common.

The resolution was then agreed to.

Mr. Windham proposed that 1,500*l.* should be granted to the Veterinary College. Ordered.

Sir John Sinclair stated, that the commissioners of the Northern light-houses had a fund of 30,000*l.* which they could not immediately use, but which they would pledge to the public as security for the sum necessary to erect a light-house on the Bell rock. He therefore moved that 25,000*l.* be granted to these commissioners for the above purpose, and on the above security. Ordered. Report the next day.

The House then went into a committee on the Bell rock report, where the same sum of 25,000*l.* was voted. Report the next day.

Mr. Windham moved the second reading of the volunteer officers bill.

Alderman Combe wished to be informed by the right honourable secretary whether this bill was to affect the rank now held by colonels and lieutenant-colonels, or only such whose

whose services may be accepted from this time? On being answered that its operation would be upon present commandants, he said he objected to it, because it went to degrade officers, without any reason being given for it. Had it at first been proposed that majors in the line, or in the militia, were to take the command of lieutenant-colonels and colonels in volunteers, he did not think that any objection would have been made, because he really believed that those who accepted such commissions did it from public spirit; that it was not from a desire to obtain military rank, but from a disposition to do suit and service in any way that might be useful to their country; but as the Legislature at that time thought it proper to give them equal, though junior rank, with the other forces, he thought that then to deprive them of what they held by act of Parliament, without any just cause being assigned for it, would disgust as well as degrade them, and, therefore, he should vote against it.

Mr. Perceval asked, whether the regulation was to extend to the militia, so that no militia officer should command a major in the regulars?

Mr. Windham said, that it did not extend to the militia. They were a more regular body, and were often commanded by old officers.

Mr. Perceval contended, that there was a greater proportion of regular officers in the volunteers than in the militia.

Mr. Holt Lee asked, whether this regulation was to take place immediately or on all occasions, or only when the volunteers joined the regular army?

Mr. Windham replied, that it was only when they joined the regular army.

The bill was then read a second time, and ordered to be committed the next day.

The Irish quit rent bill was committed. Report the next day.

AUDITORS' BILL.

Lord Henry Petty moved, that the auditors' bill should be committed.

Mr. Tyrwhitt Jones protested against the principle of the bill, which he conceived to have for its basis the passing of the accounts of the enormous sum of 450 millions, without insisting upon the production of the vouchers.

Mr. Rose then entered upon a detailed statement of the accounts,

accounts, and contended that instead of the 450 millions mentioned so pompously by the noble lord, only about twenty-one millions remained to be really and *bona fide* audited. The others only required a formal auditing. He had been informed by a noble friend of his, that to the utmost parts of the north people had been astonished at the neglect of the late government, owing to the noble lord's speech. He contended that it would be much better not to pass this bill this session, but to try what an additional number of inspectors could do on the old plan. He contended that the business might thus be carried on much more speedily, and that there was no occasion for this additional expence to the public. He took occasion to compliment his Royal Highness the Duke of York for the mode in which he had caused the accounts to be managed while our army was on the continent at the commencement of the late war with France.

Lord Henry Petty defended the present bill, as it laid the duty on the commissioners, instead of upon the inspectors, on whom the greater part fell by the late plan. He also adverted to the advantages of the new provision for dividing the commission into branches, and classifying the accounts. He read a letter from the auditors of public accounts themselves, written to the treasury in 1800, pointing out the necessity of auditing, at their office, the bank and navy accounts, and such as the right honourable gentleman contended wanted only a formal auditing. He also read a letter from them, written in June, stating the necessity of assistance, in order to carry on the auditing of the accounts. He therefore contended, that, in every point of view, such a measure as this was highly desirable, and even necessary.

Mr. Rose and Lord Henry Petty mutually explained.

After a few words from Mr. Huskisson, the House went into a committee, when Lord Henry Petty moved that the blank, as to the number of commissioners, should be filled up with the word *ten*.

Mr. Perceval moved, as an amendment, that the word *six* be substituted in its place.

On this a long conversation took place, when Mr. Perceval's amendment was negatived without a division.

A long discussion took place on the other clauses, in which the blanks were filled up. The House then resumed, and the report was ordered to be received the next day.

The

The Scots forfeited estates, the Scots exchequer chamber, and the Bell rock light-house bills, were read a second time, and the committee fixed for the next day.

Several other bills were forwarded through their respective stages.

The committee on the land tax redemption bill was put off till Friday.

The other orders were postponed, and the House adjourned.

HOUSE OF LORDS.

THURSDAY, JULY 10.

The Irish roads bill, the Irish peerage bill, the Irish revenue bill, the land tax commissioners' mistake bill, and the postage bill, were read a second time, and committed for the next day,

The Duke of Newcastle took the oaths and his seat.

On the second reading of a bill for allowing the conveyance of a certain quantity of coals to London by the Paddington canal,

The Earl of Suffolk said a few words in favour of this mode of supplying the metropolis with coals, which he thought did not go far enough. If an unlimited supply by the Paddington canal were allowed, it would tend materially to decrease the price of coals in the London market.

Lord Eldon observed that there being no duty on the coals by the Paddington canal, and a very heavy duty on the Newcastle coals, if the former were allowed to be brought here without limitation, they would drive the latter out of the market, and thereby destroy the nursery of those seamen to whom we were indebted for so many victories.

The bill was read a second time, and committed for the next day.

In the case of "Lucina v. Crawford," Lord Eldon, Lord Ellenborough, and the Lord Chancellor, concurred in the opinion that a *venire facias de novo* ought to issue, in order that the cause might be again tried in the Court of King's Bench. The further consideration of the cause was postponed till the next day.

On the second reading of the slave-ship restriction bill, Mr. Plumer and Mr. Scarlet were heard in behalf of the island

island of Jamaica, and also of certain merchants and planters who had petitioned against the bill. They objected to it on the ground of its being an attempt to abolish the slave trade by a side wind. They also urged several objections against the clauses of the bill, and submitted, that if it was determined to pass the bill, it would be more expedient that it should continue for one than for two years.

Mr. Plumer expressed a wish to be allowed to call evidence in support of the allegations of the petitions. This was objected to by Lord Grenville and the Bishop of St. Asaph, and supported by the Earl of Westmoreland. It was over-ruled by the House.

Counsel having finally withdrawn, Lord Grenville moved the second reading of the bill, which was accordingly read a second time, and committed for Tuesday.

The American intercourse bill was ordered to be read a second time the next day.

The militia ballot bill, and the training bill, were read a second time, and committed for the next day.

Adjourned.

HOUSE OF COMMONS.

THURSDAY, JULY 10.

Mr. Daley, for Galway, and Mr. Symes for Carlow, took the oaths and their seats.

Lord W. Russell brought up a bill for ornamenting the centre of Bloomsbury square. Read a first time, and ordered to be read a second time.

Alderman Combe brought up the report of the London dock compensation bill, which was received.

Mr. Johnson, from the office of the chief secretary in Ireland, presented an account of the sums expended for the improvement of the port of Dublin, and on the Irish inland navigation. Ordered to lie on the table, and to be printed.

The committees on Lord Nelson's annuity bill, and the woods and forests bill, were postponed till the next day.

The Irish quit rents bill was reported, and ordered to be read a third time the next day.

The accountant-general's bill was reported, and re-committed. Report the next day.

The Irish revenue continuation bill, the sugar bounty bill, the warehousing bill, the French wine bill, and the silk bounty bill, were read a second time, and ordered to be committed the next day.

The Irish militia service bill was committed. Report the next day.

The masters in chancery bill was reported, and ordered to be read a third time on Monday.

The innkepers' allowance bill was committed. Report the next day.

The militia trade and excise laws amendment bills were read a second time, and ordered to be committed the next day.

MILITIA PAY.

Mr. Windham moved, that the act of the 32d of the King, placing the regular army and the militia on the same footing as to pay, should be entered as read, which being done, he moved for leave to bring in a bill to enable his Majesty to increase the pay of the one independant of the other in certain cases. It was intended here that the increase of pay should extend only to the subalterns of militia.

Sir W. Elford expressed his astonishment at the motion. When notice was given of the intention to increase the pay of the army in the same manner as that of the navy, he had not heard a word of excluding any part of the militia. He always understood that both, as to pay, were to stand on the same footing, and that the same proportions were to exist between the allowances of the different officers. This was the most unfounded measure that he had ever heard of. The principle on which it rested was a most strange one. It was, that because militia officers above a certain rank had private fortunes, they were not, therefore, to be paid for their services. How would this apply to other cases? Those who held the great offices of state might be deprived of their salaries on the same principle. The Duke of Bedford had certainly a large private fortune, but was he therefore deprived of his salary as Lord Lieutenant of Ireland? Besides, many of the captains in the militia were men of very moderate fortunes. In his own case, his contribution to the mess and the rent of his house swallowed

lowed up his whole pay. But by his services he was disabled from paying the proper attention to his private affairs, and this was the case with many others. Were they to receive no compensation for all this? He thought the exclusion most unfounded and most unconstitutional.

Colonel Wood observed, that officers above the rank of subalterns had property which officers in the army might not have, and therefore they certainly had not the same claim of necessity; of course the observations now made were not altogether in point.

Mr. Perceval could not agree in the principle of the bill, as far as it could be understood at present, for it appeared to him that it would go the length of depriving the militia officers above the rank of subalterns of their pay altogether. Leave was then given.

The Secretary at War brought up the bill, which was read a first time. On the motion for the second reading,

Sir William Elford protested against the principle of the bill, which would give a death-blow to the militia.

The *Secretary at War* said, that the notice which he had given was, that an increase of pay should be given only to officers of a particular rank, and in certain cases, as it was expressed in the bill. This was not exactly a measure for a general increase of pay, therefore the honourable Baronet might as well complain that it was not extended to colonels.

Mr. Perceval said, that, from what he now understood the bill to be, it gave much greater powers to ministers than what were necessary for the object which they had in view. The law at present was, that the militia, as to pay, should be exactly on the same footing with the infantry in the regulars. But now it appeared that, in certain cases, an increase was to be allowed to the one and not to the other. But the particular object was to give the increase of pay to the militia subalterns, and to withhold it from the other officers. There was no such particular distinction, however, in the bill. Besides, the principle would certainly go this length, that no pay should be allowed to the superior militia officers at all, and the measure could not be defended on any other ground. This might be a good principle, but it certainly was one which deserved

some consideration before it was established, and therefore to propose it at this late period of the session was not very fitting.

Mr. Windham stated, that this would not affect the officers now serving in the militia, as they were not put on a worse footing than when they entered, and this went only so far as to say, that they had no claim to a participation in the proposed increase. But the learned gentleman objected to the principle. The principle, however, was not what he had stated it to be. It was not that the militia officers ought to have no pay at all, but upon the plain and obvious one, that different kinds of service ought to be differently rewarded. The pay, it was true, had been the same hitherto, but was that a reason why it should not be varied if there should appear good cause for it? A certain proportion had been established between the pay of officers of different ranks. But that, too, might be varied, if there was reason for it. As to the militia officers above a certain rank, they must have private fortunes; and could it be contended, that, because you gave an increase of pay to officers in the army whose services must be acknowledged to be of a superior nature, who might have no private fortune, and might be obliged to depend solely on their pay for the establishment of their future lives, you ought, therefore, to allow the same increase to persons in circumstances altogether different? The thing was preposterous on the face of it. He then adverted to the additional expence which an allowance of additional pay to the superior militia officers would occasion, and contended that this ought to be avoided, since there was no necessity for it.

Lord Castlereagh said that a badge of inferiority would thus be fixed upon the militia officers much more hurtful to their feelings than the want of the pay, and they would consider this as a precursor of some future measure still further to degrade them. The right honourable secretary himself had recognised the principle of an equal pay, by giving it to the subalterns. The militia captains might be equally in want of the pay, because the qualification required was only 200*l.* a year. The saving altogether would not be more than 17,000*l.* But, suppose the increase of pay to the should be allowed to the captains, the savings then would be quite trifling. The sum for the increase of pay to the regular field officers was only 16,000*l.* The militia were

in numbers about one-third of the regulars, and the saving would only be the third of 16,000*l*. He called upon the noble lord opposite (Temple) to support the cause of the militia on the present occasion, as he had done at former periods.

Mr. Alexander stated the influence which their situation gave to militia colonels, who possessed advantages which could not be possessed by the regular colonels.

Lord Castlereagh observed, that if the honourable gentleman had looked at the estimate, he would have found that the additional pay did not extend to the colonels in either case.

Lord Temple pressed his wish that his honourable friend would reconsider his measure. Upon the principle which he had stated, different parts of the army itself might have different claims. As to the colonels of militia, they had no claim whatever. The field officers had not much; but as to the captains he must really insist upon the pay being extended to them, because if officers could not be found with the proper qualifications, power had lately been given to accept of them without, and many had been therefore admitted without the qualification.

Mr. Windham explained.

Lord De Blaquiere hoped that there could be no difference of opinion as to the necessity of extending the additional allowance to the captains of militia. But he thought the distinction extremely invidious, even as applied to the field officers. He was surprised that this period of the session should be chosen for the introduction of such a measure, when the militia officers had left their duty in this House, to go and discharge more pressing duties, and he hoped, therefore, that it would be reconsidered.

Colonel Crauford could not see why the measure should be objected to, except it was with a view to render his right honourable friend unpopular with the militia and volunteers, a purpose which the honourable gentlemen on the other side had laboured with great perseverance, but he believed with little success. The cavalry were excluded from this increase of pay, and so were the guards, upon the principle that they could go on very well without any addition, while, in the cases where it was allowed, there was a necessity for it. It was to prevent meritorious officers

from

from being put in prison, or being forced to quit the service from the absolute inability of existing upon their pay. If there was no complaint on account of the cavalry and the guards, where was the ground for complaint in the case of the militia?

General Tarleton knew, from his own observation, that the militia were brought to a very high state of discipline, and this was owing to the officers. They were fit to combat with any regular troops against any enemy whatever; and when there was so much merit on the part of the officers, it was hard to make this invidious distinction.

After a few observations from Colonel Wood, the bill was ordered to be read a second time the next day.

Sir C. Pole, pursuant to notice, moved for leave to bring in a bill to extend the advantages of the 35th of the King to the petty officers, seamen, and marines, in the navy, by enabling them to allot part of their wages to the support of their wives and families. Leave given.

The bill was then brought up, read a first, and ordered to be read a second time the next day.

The nabob of Arcot's debts bill was reported, and ordered to be read a third time the next day.

VOLUNTEER OFFICERS.

On the motion of Mr. Windham, the House resolved itself into a committee on the volunteer officers bill.

The Speaker having left the chair,

Alderman Combe, following up the principle for which he had formerly contended, that rank should not be taken from those who already enjoyed it, moved that the words "shall have been" should be left out, for the purpose of inserting the words "shall hereafter be." The effect of this would be, that the provisions of the bill would extend only to those who might hereafter become colonels of volunteer corps.

Mr. Addington said that he had no unpleasant feelings whatever at the idea of being commanded, in case of his corps being called out for service, by any regular field officer. On the contrary, he was glad that he was relieved from the responsibility that might attach to him, in case it should have been his fortune to have commanded a field officer of the regulars. This was the feeling of every volunteer colonel with whom he had conversed on the subject.

Mr.

Mr. Sturges Bourne said, that it was a very different thing to consider whether this rank ought to have been given originally, and to take it away when given. This was not a new thing. It existed when the right honourable gentleman was secretary at war. The highest rank at present was lieutenant-colonel, but then there were full colonels of volunteers, with the rank of regular colonels in the army. But suppose there should be a regular major in a volunteer corps, it might turn out, that, in case of actual service, the major might command his own colonel. Old officers in the volunteers might also be commanded by inferior officers in the army.

Lord Temple explained, that there was no danger of a major commanding his own colonel, as his rank was like brevet rank in the army, and not in the particular regiment.

General Tarleton contended that no evil whatever could result from allowing the volunteer officers to retain their rank. The guards enjoyed a different rank from the other parts of the army, yet though they had served in America, in Flanders, and in other places, no inconvenience had been felt—they had been brigaded by themselves. The militia, the volunteers, and the army, might go on in the same manner without jealousy. He would mix them all without any apprehension. He would have no apprehension that the volunteers would turn their backs, but they might be too rash. How was this to be corrected?—By discipline. The country would have to regret the retarding of the discipline of the volunteers by the measures of the right honourable gentleman. If they had been permitted to have gone on they would have been fit for any duty.

Sir Charles Price said, that in every step taken with regard to the volunteers, something was done to degrade them. He adverted to the manner in which the volunteers had at first come forward, and thought that they deserved to be complimented instead of being degraded.

Lord De Blaquiere approved of the bill, and thought that serious mischief would arise in the moment of service, unless its provisions were adopted. It would not then be proper that the volunteers should be commanded by those who had never seen service. An honourable general had talked of the guards, but they had commanded up

to their rank in the army, and no inconvenience arose from this circumstance.

Mr. Windham could not imagine it to be seriously meant, that officers ranking as colonels of volunteers could take any offence at being, in case of actual service, obliged to act under the command of officers in the line of inferior rank. Field officers of volunteers might be very respectable men, and very worthy characters, but then they were not military men in the technical sense of the word, and of course could not be competent to take a superior command of troops in actual service, over the heads of men who had devoted their whole lives to the military profession, and were radically and experimentally instructed in the profession of arms. Would any gentleman who happened to be on board a man of war, or who held an employment of high rank in the civil department of the navy, take offence because he was not thought competent to take the command of a ship or a squadron, in preference to a sailor regularly bred to the profession? Would any gentleman of the highest academic attainments and political experience, take offence at being thought incompetent to assume the post of a law officer of the Crown? In a word, could any man not bred to a particular profession feel himself offended at being thought less competent to take a lead in that profession, than a man who had been regularly bred to it? And yet this was the kind of circumstance, at which, in every other case, it would be absurd and ridiculous to conceive offence, which was now termed an insult to the officers of volunteers, without considering that such an arrangement as that contended for, in case of actual danger, might be attended with the very worst consequences, even under the command of the most valiant field-officer of volunteers, that that branch of the service could possibly afford. Courage and zeal formed only one part of the qualification for command: experience and technical knowledge were to the full as necessary. The worthy alderman was ready to admit it was very right that the principle should be adopted with volunteer field-officers to be hereafter appointed; but that the alteration might not take place in respect to those already appointed. Why then, if it was right it should never be done hereafter surely it would have been equally right if the thing had never been done. In admitting the former principle, gentlemen acknowledged the latter; and therefore it was better even late

late to correct an error, which was admitted to be one, before any mischief accrued from it. An honourable and learned gentleman opposite to him (Mr. Perceval) had assumed a good deal of merriment upon a former occasion, on the circumstance of his (Mr. Windham's) having procured himself a colonel's command of volunteers in a corps without any other officers; but this, like many other of that gentleman's merry or serious arguments, was founded in gross misconception. It was true, he had been appointed to the office of a volunteer colonel in some corps in his neighbourhood, but it was an appointment not of his choice or seeking; besides, he never knew that the corps alluded to, the Felbrig volunteers, had not the same proportion of subaltern officers as other corps of the like description.

Mr. Perceval had only argued from the fact as it appeared by the papers on the table, and if there was a mistake, it was owing to his friends in office. The corps, however, was as good a corps as one without officers could be expected to be. He believed it had not even a constable, but it appeared that at the time the right honourable gentleman knew so little about his own corps, that it was not till now he was enabled to correct the mistake. But the right honourable gentleman did not adopt his own principle to its full extent, otherwise itwould apply to the militia. He ought rather to have recalled the commissions of the volunteer colonels. He was now reducing them to the very thing which he described them to be. They were now really "the painted cherries." Nothing could lower the officers more in the eyes of the country than allowing them the title of colonels without the effective rank.

Mr. Long said that if the right honourable gentleman favoured the volunteers, they were very ungrateful for they did not give him credit for it. He asked whether there were any regulations for doing away the allowances of pay and clothing, as it was understood to be the intention to suffer the volunteers to moulder away?

General Tarleton thought that if the volunteer officers had eagerly put themselves forward, there might be some ground for the measure; but a Lieutenant Bayley, who had served at the Havannah with great applause, and who now commanded a corps of 4000 volunteers, had modestly stood aside when they were inspected. Of this corps Captain Gore, whose services in America would be well remembered,

membered, was the major, and yet these men were to be degraded.

Mr. Charles Wynne admitted that these were officers of experience, but they were particular exceptions. It would be unpleasant in time of service for inexperienced volunteer officers to command regular field officers, and this feeling had been expressed by the colonel of the light horse volunteers, in whose favour an exception might be made if in any case.

Mr. Ryder wished that the right honourable gentleman had condescended to answer his honourable friend's question as to the pay and clothing, as it might be necessary to have a clear understanding on this point, with a view to the subject which was to come on the next day.

Mr. Windham said, that there was no occasion for his answering what he had stated over and over again, especially as the question was asked with a view to the motion of the next day, the nature of which had not been communicated to him nor to the House. This might be a stratagem of war against his Majesty's ministers, but it was not very candid to the House.

Mr. Long considered it hard that he should suffer for the fault of another.

Mr. Windham said, that he certainly had no inclination to answer merely on account of the motion for the next day; but he had before distinctly stated, that the pay and clothing was not to be allowed such volunteers as should enter in future.

The amendment was then negatived. Report the next day.

The report of the grain bill was brought up and agreed to, and the bill ordered to be read a third time the next day. As was also the auditors' bill.

Lord Henry Petty postponed the second reading of the bill for augmenting the allowances to the younger branches of the royal family till the next day.

INDIA BUDGET.

On the motion of Lord Morpeth, the East India annual accounts were referred to a committee of the whole House.

The House having gone into a committee on this subject,

Lord Morpeth rose. The present was a subject which, he conceived, must at all times involve considerations of

the highest importance, and at no time more so than at the present moment, when every thing connected with India was, from peculiar circumstances, more than commonly interesting. The financial system, as the vital principle which animated the whole, was therefore at present entitled to particular attention. He should endeavour to make the House as fully acquainted on this subject as he could, by submitting to them the leading features of the accounts on the table, by which the situation of the company's affairs, both home and foreign, the revenue and expenditure, debts and assets for the last three years, might be compared with the three years preceding, and the general result might be easily drawn, and the debt of the company, at the latest period to which it could be made up, and the rates of interest payable on it, both at home and in India, would at once be seen. His lordship then went over the results of the different accounts.

BENGAL.

Revenues, No. 1.—Excluding the revenues of the ceded provinces in Oude on account of their intermixture with the arrears of subsidy in some of the years, and the variation in the mode of statement in the last year; and, taking the company's fixed ancient revenues alone, the average in the three years in this statement amounts to - -	£.6,166,581
which exceeds the average on the three years one year back - -	337,692
No. 3. Estimated for 1803-4 -	8,064,981
Actual amount : -	8,060,993
Less than estimate	3,988
Charges, No. 3.—Estimated for 1803-4	5,066,940
Actual amount - . -	5,434,291
More than estimate	367,351
Add deficiency of revenue to excess of charge, the net revenue is less than estimated by	371,339
And the net revenue for 1803-4 is -	2,626,702

ESTIMATES FOR 1804-5.

Revenues, No. 1. - -	8,167,792
Charges, No. 2. - -	5,956,208
Net revenue	2,211,584
Revenues estimated more than actual, 1803-4	106,799
Charges estimated more than ditto -	521,917
Net revenue, estimated for 1804-5, less than preceding year - -	415,118

MADRAS.

Revenues.—Excluding the revenues of Arcot and of the provinces ceded by the Nizam on account of the early years being in part subsidy and in part revenue collections, the average receipt on the years 1801-2 to 1803-4, as by No. 4, is -	2,965,199
Being less than the average of the three years 1800-1 to 1802-3 in the sum of -	49,102
Revenues, No. 6.—Estimated for 1803-4	4,888,895
Actual amount -	4,653,401
Less than estimate	235,494
Charges, No. 6.—Estimated for 1803-4	5,018,157
Actual amount -	6,136,845
More than estimate	1,118,688
Add deficiency of revenue to excess of charge, the net charge is more than estimated by	1,354,182
And the net charge for 1803-4 is -	1,483,444

ESTIMATES 1804-5.

Revenues, No. 4 - -	4,659,326
harges, No. 5 - -	5,420,029
Net charge	760,703

Revenues

Revenues estimated more than actual of 1803-4	5,925
Charges estimated less than ditto -	716,816
Net charge estimated for 1804-5 less than preceding year -	722,741

BOMBAY.

Revenues, No. 7.—An adjustment of these revenues, as of those of the other presidencies, should have been made on account of the addition to the two last years, by treaty and conquest. As the amount is not specified, the average must be stated on the gross receipts on the years 1801-2 to 1803-4, it amounted to - -	408,062
which exceeds the average 1800-1 to 1802-3, excluding a small receipt from the ceded countries - - -	99,020
Revenues, No. 9.—Estimated for 1803-4	518,575
Actual amount -	558,650
More than estimate	40,075
Charges, No. 9.—Estimated for 1803-4	1,478,881
Actual amount -	1,642,078
More than estimate	164,087
Deduct excess of revenue from excess of charge, the net charge is more than estimated by	124,022
and the net charge of the year 1803-4 is	1,084,328

ESTIMATES 1804-5.

Revenues, No. 7 - -	731,391
Charges, No. 8 - - -	1,873,933
Net charge	1,142,542
Revenues estimated more than actual, 1803-4	172,741
Charges estimated more than ditto -	230,955
Net charge estimated for 1804-5 more than preceding year - - -	58,214

BENCOOLEN AND OTHER SETTLEMENTS.

No. 10, A.—Revenues of Fort Marlbro', in the 1802-3 - - -	13,985
Charges of ditto - -	122,132
Net charge	108,147
Supplies from Bengal to Fort Marlbro', Penang, &c. estimated for 1803-4 -	212,628
No. 18.—Actual amount - -	304,056
More than estimated	91,428
No. 11.—Supplies estimated for 1804-5	287,680

GENERAL VIEW.

Result of the year 1803-4 collectively.

Revenues—Bengal by No.	3	8,060,993	
Madras,	6	4,653,401	
Bombay	9	558,650	
Total revenues			13,273,044
Charges—Bengal, by No.	3	5,434,291	
Madras,	6	6,136,845	
Bombay,	9	1,642,978	
Total charges			13,214,114
Net revenue of the three presidencies			58,930
Deducted from supplies to Bencoolen, &c. No.		18	304,056
Leaves a net charge of . .			245,126
Add interest, &c. paid on the debts at Bengal, by No.	18	957,727	
Madras	19	334,179	
Bombay	20	*242,852	
Total interest			1,534,758
The total amounting to			1,779,884

* This sum includes 140,436*l.* paid the commissioners of the sinking fund for interest on the securities in their hands.

Brought

		Brought forward,	1,779,884
is the sum in which the charges and interest exceeded the produce of the territorial revenues.			
From which deduct the amount of the sales of imports, by No. 15			655,481
		The remainder	1,124,403
Shews the amount in which, in the year 1803-4, the resources from revenue and sales of imports were insufficient to defray the charges, and the interest on the debts.			
Amount advanced for the purchase of investments, payment of commercial charges, and in aid of China—			
At Bengal, by No.	18	1,380,855	
Madras	19	706,771	
Bombay	20	193,844	
Fort Marlbro'	22	39,014	
		Total advances for investments	2,320,484
Cargoes consigned to Europe, in 1803-4, with charges by No. 22			1,674,645

GENERAL VIEW.

Result of the estimates for the year 1804-5 collectively.

Revenues—Bengal by No.	1	8,167,792	
Madras	4	4,659,326	
Bombay	7	731,391	
		Total revenues	13,558,509
Charges—Bengal by No.	2	5,956,208	
Madras	5	5,420,029	
Bombay	8	1,873,933	
		Total charges	13,250,170
Net Revenue of the three presidencies			308,339
Deduct supplies to Bencoolen, &c. by No. 11			287,680
		Remainder	20,659
Deduct from interest on debts by No. 16			*1,754,843
		The sum then remaining	1,734,184

* Includes 166,454*l.* payable to the commissioners of the sinking fund.

Brought forward,		1,734,134
is the amount in which the charges and interest are estimated to exceed the revenues.		
Deduct amount estimated to be received on the sales of imports by No. 15 - -		602,993
The remainder		1,131,191
is the amount in which the charges of government and interest on the debts are estimated to exceed the resources expected to be derived from the territorial revenues, and from the sales of imports in the year 1804-5.		
DEBTS IN INDIA.		
Amount stated, to April, 1803,	21,881,571	
Deduct in the hands of the commissioners of the sinking fund	2,012,348	
Net amount of debts on the 30th of April, 1803 - - -		19,869,223
Amount on the 30th April, 1804, by No. 16 of present account	25,336,263	
Deduct sinking fund as above	2,800,056	
Net amount of debts on 30th April, 1804		22,536,207
Increase - - - -		2,666,984
DEBTS BEARING INTEREST.		
Amount in April, 1803 -	18,712,933	
Deduct in the hands of the commissioners of the sinking fund	1,686,917	
Net amount of debts bearing interest, on the 30th April, 1804 -		19,031,934
Increase of debt bearing interest -		2,005,918
Amount of interest payable on debt owing in April, 1803 -	1,574,011	
Deduct interest on securities in the hands of the commissioners of the sinking fund -	126,360	
Net amount of the interest payable on debt owing 30th April, 1803 -		1,447,651

Amount payable on debt, in April, 1804, by No. 16 -	1,754,843	
Deduct sinking fund as above	166,454	
Net amount of interest payable on debt, owing 30th April, 1804 -		1,588,389
Increase of interest payable - -		140,738

ASSETS IN INDIA.

Consisting of cash, goods, stores, &c. in April, 1803 -	14,630,971	
Deduct balance and securities in hands of commissioners of the sinking fund -	2,012,348	
Net amount of assets on the 30th April, 1803 - - -		12,618,623
Consisting as above, on 30th April, 1804, by No. 21 -	17,252,399	
Deduct sinking fund, as above	2,800,056	
Net amount of assets, on 30th April, 1804		14,452,343
Increase of assets - - -		1,833,720
Deducting increase of assets from increase of debts, the state of the Company's affairs in this view, is worse in April, 1804, than in April, 1803, in the sum of - -		833,264

HOME ACCOUNTS.

No. 25—Aggregate amount of sales in 1804-5		8,044,392
Less than the year preceding -	380,876	
The sales of the Company's goods were less by	609,991	
The sales of the private trade goods were more by	229,115	
Making the net difference as above - -	380,876	
The sales of the Company's goods were estimated at - - - -		6,868,700
The actual amount was - - -		5,267,578
Being less than estimated -		1,601,122

The receipts on the sales of the Company's goods were estimated at - -	6,598,496
They actually amounted to - -	5,730,133
Being less than estimated -	868,363
The charges and profit on private trade were estimated to amount to - -	150,000
The actual amount was - -	90,536
Being less than estimated -	59,464

GENERAL RESULT.

From the disappointment in the produce of the sales, with a large payment in bonds by the purchasers, and from a greater expenditure on account of India and China than first intended, the deficit would have appeared in the cash balance of this year to a considerable amount; but the sum borrowed from Government, a loan from the Bank, and an issue of Company's bonds, have so operated, that the balance of cash estimated to remain in favour of the Company, on the 1st March, 1805, to the amount of - - -	157,634
was found by the actual accounts of the year to be - - -	12,020
which was less than estimated by the sum of	145,614

HOME ACCOUNTS.

ESTIMATE 1805-6.

No. 23—Sale of the Company's goods estimated to amount to - - -	6,301,414

GENERAL RESULT.

Notwithstanding the receipts from the sales are estimated much higher than the actual of the last year, and the expectation is stated of a payment by government of a million, the various demands upon the treasury are so great for freight and demorage, the repayment to government of 500,000*l.* borrowed in the last year, and on other accounts, that

the

the balance on the 1st March, 1806, is estimated to be against the Company in the sum of			62,836

DEBTS AT HOME.

On the 1st March, 1804		4,788,865
No. 23, on the 1st March, 1805		6,012,196
Increase		1,223,331

ASSETS AT HOME.

On the 1st of March, 1804		19,168,736
No. 23, on the 1st March, 1805		20,442,659
Increase		1,273,923
Deducting the increase of debt from the increase of assets, the home concern exhibits, in this view, an improvement in the year amounting to		50,592

CHINA AND ST. HELENA.

Balance at China, on 31st January, 1803, against		260,900	
Balance at China, on 29th January, 1804, in favour, No. 24		182,390	
Increase at China		443,290	
Balance at St. Helena on 30th September, 1802, in favour	105,194		
Balance at St. Helena on 30th September, 1803, in favour, No. 24	105,382		
Increase at St. Helena		188	
Total increase at China and St. Helena			443,478

GENERAL COMPARISON OF DEBTS AND ASSETS.

Increase of debts in India		2,666,984
Increase of debts at home		1,223,331
Total increase of debts		3,890,315

Increase of assets in India -	1,833,720	
Increase of assets at home -	1,273,923	
	3,107,643	
Add.—Net increase of balance at China and St. Helena -	443,478	
Total increase of assets		3,551,121
Deducted from the increase of debt, will shew a deterioration to have taken place on the whole concern in this view, during the years 1803-4 abroad, and 1804-5 at home, to the amount of - - - -		339,194
Add—Amount received in India, and included in the quick stock there, dated April 30, 1804, which formed part of the cargoes afloat outwards, in the assets at home - -	583,299	
Goods in the export warehouses in India on the 30th April, 1804, arrived in England and included in assets at home - -	43,619	
		626,918
The amount of the deterioration will then be		966,112

The assets at home exhibited an increase in value during the year in the sum of 442,192*l.* from the insertion of the amount of the claims of the Company on the public, it having been calculated before it was under the consideration of Parliament. As this branch of the concern is under examination upon principles recommended by a committee of the House of Commons, which will lessen its amount, a further considerable adjustment will hereafter be requisite.

ABSTRACT OF ADDITIONAL ACCOUNTS.—BUDGET, 1805.

General View of Estimates, 1805-6.

Revenues of Bengal	8,763,220	
Madras	4,774,296	
Bombay	742,017	
Total revenues		14,279,533

Revenues brought forward,	14,279,533	
Charges of Bengal	7,415,370	
Madras	5,650,182	
Bombay	1,580,292	
Total charges	14,645,844	
Net charge of the three presidencies		366,311
Add supplies to Bencoolen, Prince of Wales' island, &c.		266,800
Total surplus charge		633,111
Add further—Interest on the debts	1,823,040	
Interest payable to the commissioners of sinking fund, on securities redeemed	195,788	
Total interest		2,018,828
Total excess of charge beyond the produce of the revenues, as estimated for the year 1805-6		2,651,939

exclusive of commercial charges not added to the invoices, amounting to 199,806*l.*

DEBTS IN INDIA.

Amount of debt 30th April, 1804, by No. 16	25,336,263	
Deduct in the hands of the commissioners of the sinking fund	2,800,056	
Net amount of debt on 30th April, 1804		22,536,207
Amount as to Bengal, January 28, 1805, and Madras and Bombay, 30th April, 1805	28,107,499	
Deduct sinking fund as above	3,151,065	
Net amount of debts in 1805		25,046,434
Increase		2,510,227

DEBTS BEARING INTEREST.

Amount in April 1804, by No. 16	21,276,466	
Deduct in the hands of the commissioners of the sinking fund	2,244,532	
Net amount of debts bearing interest on the 30th April, 1804		19,031,934

Brought forward	19,031,934	
Amount on 30th of April, 1805, generally - -	24,221,700	
Deduct sinking fund as above	2,616,739	
Net amount of debts bearing interest on 30th April, 1805		21,604,967
Increase		2,573,033
Amount of interest payable on the debt owing on 30 April, 1804, by No. 16 - - -	1,754,843	
Deduct interest on securities in the hands of the commissioners of the sinking fund - -	166,454	
Net amount of interest payable on debt owing on 30th April, 1804		1,588,389
Amount payable on debt in April, 1805 - - -	2,017,358	
Deduct sinking fund as above	195,788	
Net amount of interest payable on debt owing on 30th April, 1805		1,821,570
Increase of interest payable		233,182

His Lordship, on the whole, did not think he went too far, when he said, that, in his opinion, the deficiency or excess charge could not be taken at less than 3,000,000*l.* The debts bearing interest in India, he was aware there might be danger of having called in, though the directors had the power of protracting the payment for some time. Should this be the case, some extraordinary means might be necessary to be resorted to; but of this there was no immediate appearance. It might be expected that he should be able to give some account of the measures proposed to be adopted for reducing the expenditure in India. It was well known that government had lately been pretty much employed in devising measures of reform in the public expenditure, but it was deemed more expedient to wait till it

was

was seen how far any schemes of the kind were practicable, before they should be gone into as to India. It would be the duty of the commissioners for Indian affairs, to call the attention of Parliament to this subject, at as early a period as possible. It was not his intention to trouble the committee on the subject of the treaties with Scindia or Holkar, nor did he think himself even called on to give any opinion on that subject. He knew it was the opinion of others, that these treaties were honourable to the British character, and calculated to preserve pacific dispositions in India. On the whole, though he admitted that the financial department in India, did not wear the most cheerful aspect, and although he would be the last person in the world to raise sanguine hopes which were not likely to be realised, still he thought it would be wrong to give any sanction to unmanly despondency. Our resources in the East were great, and by proper management and economy, might still be brought to answer our highest expectations. He did not speak of that economy which would teach us to withhold a reward from merit, or to retrench in the becoming grandeur of the executive government—economy which only tended to defeat the objects which it had in view—but that economy which would teach us to act on principles of moderation, justice and equity. His Lordship concluded by moving his first resolution, shewing the revenue of the Company for the years 1802-3-4.

On the question being put,

Mr. Johnstone expressed the high satisfaction which he felt at the fair and candid manner in which the noble lord had made his statement. He heartily concurred with the noble lord in the importance of the subject, which, notwithstanding the House had uniformly treated with so much indifference, the attendance that night furnished an additional proof. He could not, however, help thinking that the noble lord was himself somewhat to blame, in having so long delayed bringing forward the subject, the papers necessary to make the statements having been in this country for nearly twelve months, and it having been promised, in the month of February last, that the attention of the House should be speedily called to them. In looking at the accounts, which were as full and distinct as could well be expected, he could not help remarking, that though the period to which they applied was a period of war, a great part of the increase was for civil charges.

In the first year there was an increase of 65,000*l.* in the civil department above the year preceding. In the second year an increase of 96,000*l.*; and, in the 3d year, an increase of 123,000*l.* and he thought, without withholding any due reward from meritorious services to the Company, the expences in the civil establishment might be greatly reduced. He hoped, with the noble lord, that we should always observe moderation and good faith in our conduct with the neighbouring states, but what concern that could have in diminishing our expences, he could not conceive, and as to splendour in the representation of the executive government being necessary in India, that he denied. It might be necessary in Europe, but in India, so far from contributing to the stability of our government, it would rather tend to degrade it into a copy of the native governments of the country. As to the treaties being subject to be differently regarded by different persons, surely the noble lord did not mean this as a censure. He, for one, at least, and he knew the East India Company, regarded them in a very different light. If they renounced territory which we held, they renounced what it was not proper we should possess. The honourable person who concluded those treaties was, unquestionably, the most proper hand to have carried his own plans into execution. Under that feeling, the honourable member could not help remarking on the circumstances under which he had been recalled, to which he begged leave to call the attention of the committee and of the country. Immediately after the news of Lord Cornwallis's death reached this country, on the 26th of February, ministers recommended to the court of directors to confirm Sir G. Barlow as governor-general of India. In 12 days thereafter, however, namely on the 8th of March, they tell them, that it is necessary he should be recalled. The directors are then desired to appoint a certain nobleman in his room, which on the 24th of May, they refuse to do by a majority of twelve to four; and on the 28th ministers proceed to vacate the office by the intervention of the sign manual. What had since occurred it was not necessary for him to state; but it had been seen that yesterday another lord had been sworn into the office. He admitted that by the letter of the law, ministers were warranted in recommending to his Majesty such an exercise of the prerogative, but contended it was a discretion which was meant to be exercised only in extreme

treme cases, and could be only compared to that extraordinary prerogative by which his Majesty might dismiss a military officer. As a proof of this, it had never been exercised, except on the present occasion, for the 24 years it had existed. He contended there never was an exercise of a prerogative more unjust and more wanton. He proceeded to consider the different reasons which had been assigned for this step, for which he argued that not only no necessity had been shewn, but that it was unwise and impolitic. Holkar had territories to be restored to him at the distance of eighteen months, and it must have been infinitely more satisfactory to the other contracting party, if the same person who concluded the treaty with him had been allowed to carry it into complete effect.

Lord Henry Petty replied to the observations of the honourable gentleman, who had not, he presumed to say, read the act of 1784 with attention, or he would have seen that the interpretation which he and others attempted to put upon it was unfounded. For in the same clause in which the power of recalling a governor was vested in the directors, it was also vested in his Majesty and council; but this seemed to have been overlooked by the honourable member, who condemned the exercise of a power which was necessary, to maintain the pre-eminence of the present state. That honourable member would have a dependant state governed without being subject to controul, and yet his brain was unwilling to admit paradoxes. It was asserted by the honourable member that this power of recall was quite new and extraordinary, and that it never had been exercised before, since 1784; but it seemed to be forgotten, that the same power had been before exercised by the directors. Yet it excited no complaint. But when his Majesty ventured to use his undoubted prerogative, some gentlemen appeared to be anxious to raise a clamour against it, and truly because ministers thought proper to appoint a man of their own choice. But was any thing more natural than that the administration of the Sovereign's government should choose a governor for any of the dependancies in whom they could confide? Were they not by the statute of 1784 armed with that power? and did not their duty call upon them for the exercise of it? They were as responsible for the government of India, as for that of Ireland; and it would be as just to interfere

with their appointment of a viceroy for the one as with that of a governor for the other. The governor whose appointment had just taken place for India would, he was persuaded, afford general satisfaction, and this persuasion rested upon the belief that that noble lord would carry out with him to India those principles of moderation, economy, and a strict adherence to treaties, which the House had heard so distinctly laid down by his noble friend who opened the debate, and which formed the firmest basis of every good government. Under the administration of such principles, the noble lord, no doubt, however lamentable the deficiency at present might be; however much the hopes of the country, excited by the promises of the noble lord on the opposite bench (Castlereagh), had been disappointed; might still be able to restore the resources of India, and place its affairs on a regular, solid, and durable footing.

Lord Castlereagh maintained, that the tendency of the revenues of India was to augment in the manner and proportion which he had described to the House, and that his predictions were falsified by events upon which it was impossible for any man to calculate, namely, by wars which he had not in his contemplation when he made the statement to which the noble lord on the treasury-bench referred. The noble lord vindicated the grounds upon which the late war in India was commenced, the manner in which it was conducted by Marquis Wellesley, and also the terms upon which it was concluded by Sir G. Barlow. The removal of this deserving individual from the government of India, the noble lord condemned in the most unqualified terms. That Sir G. Barlow's character was the subject of universal praise, was quite notorious, but he could adduce a testimony to his merits of the very highest order; for he could state that it was the express wish of Lord Cornwallis, before he went to India, that when he should have completed the object of his mission, Sir G. Barlow should be appointed to succeed him in the government. What could be the object of ministers in discharging Sir G. Barlow, so soon after his appointment, he felt it impossible, upon any rational ground to estimate. As to the debt of the India company in India, his wish was that it should travel home, and he was sure that their circumstances and credit here would be quite sufficient soon to discharge it

Mr.

Mr. Francis considered the India debt as not less than thirty-one millions sterling, and the annual deficiency to be 2,055,957*l.* although there was a territorial revenue of fourteen millions. Even on the sales in England from which the dividends were discharged, there appeared to be a loss of 418,540*l.* Then what was called the stock account exhibited at one view the true state of the affairs of the company; and what was the true state of this account? All they took credit for was 6,181,000*l.* and yet even this was fallacious; for out of this amount was not deducted the capital, which in every mercantile statement must be considered, and when that was subtracted, there was, in truth, a balance against them of from three to four millions. Again, they claimed upon government 4,460,000*l.* which was a manifest excess on the just demand of 2,000,000*l.* In a very short time there would be become due from the company in England 17,500,000*l.* and what were the measures to be taken to meet this exigency he was totally at a loss to conjecture. Such was the melancholy view he was obliged to take of these concerns; but while he lamented the situation of affairs, he highly approved of the nomination of a noble lord (Lord Minto) to the high office of governor-general, and he trusted that, under his management, some alleviation of these serious calamities might be obtained.

Lord Castlereagh explained.

Sir Arthur Wellesley said, Sir, before I proceed to consider the financial state of India, which is more properly the subject for discussion this night, I shall advert to the political subjects which have been referred to by other gentlemen.

The honourable gentleman opposite (Mr. Francis) has asked, what right Scindeah had to the fortress of Gwalior, and the territory of Gohud, which have been ceded to him by the late treaty concluded by Sir George Barlow? The honourable gentleman must recollect that, subsequently to the treaty of peace concluded by Mr. Hastings with Mahdajee Scindeah (the predecessor of Dowlut Rao Scindeah), that chieftain attacked the Ranah of Gohud, and deprived him of all his territories. The family of Scindeah had remained in possession of those territories, and of the fortress of Gwalior, from that time, until the war which

commenced in 1803: when the fort of Gwalior was taken, and the country of Gohud fell into the possession of one of the detachments under the orders of the commander in chief, Lord Lake.

Under the ninth article of the treaty of peace which I was the instrument of concluding with Dowlut Rao Scindeah, at the end of the year 1803, the territory of Gohud and the fortress of Gwalior were to remain in the possession, and at the disposal of the British government. This will be obvious to any man who reads that article, or the conferences in the negociations of the treaty, which are published; and indeed the operation of the ninth article upon this territory was acknowledged by Scindeah's ministers. The governor-general, Lord Wellesley, however, having adverted to the situation in which Scindeah was placed by the treaty of peace in relation to other powers in India, and particularly in relation to his rival Holkar, had deemed it proper to take into consideration the expediency of restoring to Scindeah the territory of Gohud and the fort of Gwalior. I was of opinion, that Gohud and Gwalior ought to be restored to that chief; and I believe that the instructions to the resident with Scindeah upon this subject have been laid before the House of Commons.

The reason for which the cession was not made until the conclusion of the late treaty by Sir George Barlow, is referable to the state of Scindeah's councils from the middle of the year 1804 until a late period in 1805.

The cession was a *matter of favour* from the British government to Scindeah, and was to be so considered. The committee will observe, that *it is so considered* by Sir George Barlow. But Scindeah's councils were so badly composed, and their conduct was so suspicious, from the period before mentioned, that no concession could be made to Scindeah, without incurring the risk of having it attributed to motives, which never ought to influence the conduct of the British government in India. For this reason the cession was not made by Lord Wellesley.

The honourable gentleman seems to think the fortress of Gwalior important, as a defence of the company's territories in that quarter. The fortress of Gwalior would defend and cover nothing, excepting itself: the company's territories are not to be defended by fortresses, but by armies in the field. Fortresses are useful as points of support, and as magazines

magazines to these armies; and in this point of view Gwalior would be useful, if the object of the company was, or was likely to be, the invasion of Scindeah's territories in Malwah. But it is of no use with a view to the defence of the company's territories, unless garrisoned by a large body of troops, which body of troops would be more profitably employed in the field.

Upon the whole, the committee will observe, that I consider Sir George Barlow's treaty with Scindeah to have been consistent with the spirit of that which I was the instrument of concluding at the close of the year 1803; and that the late governor-general, Lord Wellesley, intended to have carried into execution that part of its stipulations which refers to Gwalior and Gohud.

Upon a former night I explained to the House, that I did not consider it to be a treaty of peace, as, in point of fact, *we had never been at war* with Scindeah since 1803. It is a treaty to amend and explain some articles of the former treaty of peace; and I conceive, that every article of it deserves approbation.

In respect to the treaty with Holkar, I do not conceive that there can be any objection to it. The honourable gentleman (Mr. Francis) has asked, whether Sir George Barlow was not obliged to conclude that treaty by the financial distresses of the government. Approving, generally, of the treaty, and not knowing the instructions from home under which Sir George Barlow acted, I do not conceive it necessary to look for the cause of his concluding that treaty, in any necessity arising from the state of the finances. The honourable gentleman knows well, that when war has been carried on for three years in India, it is not very easy to procure money on loan: and I certainly do not mean to extenuate the financial difficulties and distresses which existed in the year 1805, as represented by the noble lord (Lord Morpeth) and by the papers on the table. These difficulties certainly existed; but in possession of such a revenue as is enjoyed by the British government in India at the present moment, and in command of such large resources, I do not conceive that any temporary embarrassment, or difficulties of a pecuniary nature, could exist to such a degree, as to induce Sir George Barlow to conclude a treaty of which he himself did not approve, and of which he should not think his superiors in England would approve.

I have already said, that I was not disposed to dispute the financial statements made by the noble lord (Morpeth)

peth) as exhibited in the papers upon the table; but it must be recollected, that these statements *refer to a period of most extensive warfare*, which was carried on *in all parts* of India at the same time, and for which the preparations and exertions made were on a scale superior to any ever made upon any former occasion. There was not an officer in command of any detachment, who could prove, to the satisfaction of government, that any addition to the means already in his power would increase his capability of performing service, who did not immediately receive orders to make the increase which he required; and it will be found, that the service performed was proportionate to the expence incurred. With this recollection in our minds, it will not appear that a surplus charge, amounting, upon an average, to about two millions sterling, is very large for such a period, and for such exertions.

The subjects which require explanation in the state of the finances of India, are—the deficiency of the revenues, in comparison with the charges (including the interest of the debts), and the great magnitude of the debts. My wish is, to shew, 1st, the real situation in which the finances of India will be in time of peace; 2d, the real state of the Indian debt in April 1805 (at the close of Lord Wellesley's government), and in April 1806; and, 3dly, to compare the debt with the assets, and shew in what manner it has been incurred.

It appears by the account, No. 2, presented on the 3d of June, 1806, page 94, that the revenues of India, for the year 1805-6, were estimated at - - £14,279,533
The charges at - - - - 14,645,844
The interest of the debt at - - - 1,823,040
The commercial charges not added to the invoices, at - - - - - 199,806
The supplies to Prince of Wales's island, Bencoolen, and St. Helena - - - 286,800
Making a total of charge of - - - 16,935,4900
And leaving a deficiency to be provided for by loan, of - - - - 2,655,957

It must be observed, however, of this estimate, *first*, that the revenues are not stated to be so high as they really are; and *secondly*, that the charges are *for a period of war*, in which it must be acknowledged that they would be higher than in a period of peace. If this be the fact, it cannot

cannot be supposed to be a very unsatisfactory state of affairs, that the charges of a great empire, such as the British empire in India undoubtedly is, should exceed the revenues and resources by two millions seven hundred thousand pounds sterling in one year, in a period of *very extensive warfare*. This will be observed more forcibly, if the financial state of Great Britain, or of any other country in Europe, is adverted to.

But the duration of war ought not to be calculated upon; intelligence of peace has already been received, and the finances in India must be viewed in reference to the state of affairs which must exist in consequence of the restoration of tranquillity.

In endeavouring to form an opinion of the financial state of India, in a period of peace, it is necessary to ascertain what will be the revenues in peace, and what the charges.

In the year 1802-3, the company were in possession of all the territories which they possess at present, excepting the territories acquired by the treaties with the Guickwar, and by the treaties of Bassein, and of peace concluded with the Mahrattas in December 1803. The produce of that year will form the fairest datum from which an estimate may be formed of the probable future resource. An average of any number of years cannot be taken; because, in 1801, the provinces in Oude were not in the company's possession; because, in 1803-4, there existed a drought in all parts of India, which affected particularly the produce and revenues of the ceded provinces in Oude, and in some degree those of the provinces ceded by the Nizam on the Toombudra and Kistna rivers, and those in the Carnatic; and because, in 1804-5, the revenues of the ceded provinces in Oude must have been affected by the incursion of Holkar's armies.

The amount of the revenues in 1802-3 will afford an estimate of what they will be in future in time of peace; although there is reason to believe, that they will *considerably exceed* that amount.

The revenues in India in the year 1802-3, as appear by the accounts before parliament, were - - - - - - - £13,464,587

To this sum, in forming an estimate of the future probable resource of the government in India, must be added the new subsidies, and the revenues of the territories gained by the company since the year 1802-3, of which I will read an estimate:

ESTIMATE

ESTIMATE of the late ACQUISITIONS in taking the REVENUES.

REVENUE.	Gross Revenue.	Net Revenue.	In Sonat Rupees.
IN THE DOAB.			
Etawa	13,91,818		
Furruckabad	6,30,084		
Seharunpore	3,42,351		
Ditto under Moradabad	5,99,015		
Ditto under the Resident at Delhi	5,50,273		
	35,13,541		
Deduct Tasseeldary, and other allowances, pensions, mofussil charges, and balances irrecoverable, estimated altogether at 20 per cent.	7,02,708	28,10,833	
Sumroo Begum's Jagheer		10,00,000	
WEST OF THE JUMNA.			
Agra, exclusive of the Pergunnahs Dholepore, &c. at first reserved to Scindeah, and now ceded to the Company	10,64,255		
Districts settled by the Resident at Delhi	4,25,594		
Syer of Delhi, &c.	1,83,689		
Districts unsettled, suppose	4,25,000		
	20,98,538		
Deduct 20 per cent. as above	4,19,707	16,78,831	
In Hindûstan rupees of sorts		54,89,664	52,70,076
CUTTACK	13,51,405		
Deduct 20 per cent. as above	2,70,281		
Arcot rupees		10,80,124	10,37,879
BROACH	10,00,000		
Deduct 20 per cent. as above	2,00,000		
Estimated equal to sonat rupees		8,00,000	8,00,000
Total of revenue of rupees of sorts		73,70,788	
Ditto in sonat rupees			71,07,955
Sicca rupees			66,81,478
Or, pounds sterling			835,184

INDIA from CONQUEST and SUBSIDY, at the lowest Scale possible.

SUBSIDIES.		Gross Revenue.	Net Revenue.	In Sonat Rupees.
FROM THE GUICKWAR.				
Free Gift			2,00,300	
Subsidy			6,97,275	
Syer Revenue in the Attaveesy		60,000		
——— in Guzerat		66,000	1,26,009	10,23,275
FROM THE PEISHWAH.				
Bundlecund Gross Revenue		15,72,974		
Deduct 20 per cent. as above	3,14,595			
Stipend to Shumsheer Bahadur	4,00,000	7,14,595		
In rupees of sorts		8,58,379		
In sonat rupees			8,24,047	
Subsidy in the Attaveesy		6,50,300		
Ditto in Guzerat		1,72,300		
Syer Revenue in the Attaveesy		1,10,000		
Ditto Guzerat		8,000		
In rupees supposed equal to sonats			9,40,000	17,64,047
ADDITIONAL SUBSIDY.				
From the Rajah of Travencore				3,48,000
Total subsidies sonat rupees				31,35,322
Or Sicca Rupees				29,47,203
Or, pounds sterling				368,400
Total revenues pounds sterling				1,203,584

ABSTRACT.

ACQUISITIONS.	Sonat Rupees.	Sicca Rupees.	Pounds Sterling	Total. £. Ster.
In revenue	71,07,955	6,84,478	835,184	1,203,584
In subsidies	31,35,322	29,47,293	368,400	

This will make the future revenue of British India amount to 14,668,119*l.*

In the commencement of the year 1802-3, a revision was made of all the establishments under the governments of India, with reference to a state of peace.

It does not appear, however, that the establishments of European troops in particular were reduced to a lower scale than that on which they ought to be left at all times, and on which they exist at present. Neither does it appear to be necessary to increase the number of European troops, beyond the number which were in India in the year 1802-3, in consequence of the additional territory acquired since that year.

The native military establishments were fixed upon a scale, in the year 1802-3, calculated for the existence of peace in India; and the continuance of war in Europe, under the circumstances in which the enemy stands in respect to his marine, does not appear to render necessary any addition to these establishments.

The actual charges of the year 1802-3 were higher than the amount at which they were estimated and fixed, with a view to peace. In October 1802, Holkar gained the victory at Poonah over the troops of the Peishwah and Scindeah, in consequence of which the government of Fort St. George immediately thought it necessary to assemble the troops acting under that presidency, which afterwards marched to Poonah early in 1803. The army at Bombay was likewise placed on the war establishment; part of it in the field; and both armies were considerably augmented.

My noble friend (Lord Castlereagh) has calculated the extraordinary expences, in the last six months of 1802-3, at 500,000*l.* above the charges of the peace establishment; and in forming an estimate of the future charges of India, in a period of peace, upon the actual charges of the year 1802-3, it is proper to strike off 500,000*l.* of that amount. With this sum subtracted from them, the actual charges of the year 1802-3, together with those rendered necessary on account of the treaties of peace and subsidy, and by the acquisitions gained since that period, may be deemed fair data on which an estimate may be formed of the probable future charges of British India in time of peace.

The

The actual civil charges in 1802-3 were	£. 4,599,372
The actual military charges were -	6,360,614
From which subtract - -	500,000
Remains - - - - -	5,860,614
Supplies for Bencoolen, &c. -	*196,848
Making a total of charge in 1802-3	£. 10,656,834

To this must be added the additional civil charges to be incurred in consequence of the late acquisitions, of which I shall also read an estimate.

Estimate of the annual increased civil and military charges incurred in India since the year 1802-3.

PENSIONS AND JAGHEERS.

	Rups. of Sorts.	Sonat Rups.
Scindeah and his family -	7,00,000	
Royal family at Delhi, including the expence of irregular corps	17,00,000	
Begum Sumroo - -	10,00,000	
Total in rupees of sorts	34,00,000	or 32,62,000

CIVIL ESTABLISHMENTS.

Salary and establishments of seven judges and magistrates -	3,92,000	
Ditto of six collectors -	2,23,200	
Residency at Delhi -	1,44,000	
Civil charges at Bombay -	40,800	
		8,00,000
Total of civil charges, &c. in St. rupees		40,64,000
Ditto in sicca rupees - -		38,20,160
Total of ditto in pounds sterling -		£.477,520

MILITARY CHARGES, IN BENGAL.

Two regiments of native cavalry, at 20,000 rupees per month -	40,000

* These charges are greater by 19,662*l.* than those stated by Lord Castlereagh, in his speech of the 19th of July, 1804.

Seven ditto of native infantry, at 30,000 each per month -	2,10,000	
Horse artillery - -	2,900	
Extra cattle to the increase -	10,000	
Off-reckonings - -	17,000	
Wear and tear of two regiments of cavalry - -	5,000	
Military stores, contingencies, buildings, &c. not fixed in the amount - -	25,000	
Per month	3,09,000	
Per ann. - -		37,08,000

FORT ST. GEORGE.

One regiment of native cavalry, including off-reckonings -	22,100	
Four regiments of native infantry, at 29,000 each - -	1,16,000	
Off-reckonings - -	6,400	
Military stores, and other charges	15, 00	
Wear and tear of horses for one regt.	2,500	
Per month	1,62,000	
Per ann. - -		19,44,000

BOMBAY.

One regiment of infantry -	29,000	
Off-reckonings, &c. -	1,600	
Per month	30,600	
Per ann. - -		3,67,200
Total increase of the military charges, in sonat rupees - - -		60,19,200
Ditto in sicca rupees - -		56,40,000
Ditto in pounds sterling - -		£. 705,000

ABSTRACT.

	Sonat Rupees	Sicca Rupees.	Pounds Sterling	Total £. Sterling.
Civil Charges, Pensions &c.	1 ,[illegible]4, 00	38,20,16	477,520	1,182,520
Military ditto	0,19,200	56,40,000	705,000	

The

The increase of the military establishments required in India, and which I have now estimated beyond those of 1802-3, are *two* regiments of native cavalry, and *seven* regiments of native infantry, in Bengal; *one* regiment of native cavalry, and *four* regiments of native infantry, on the establishment of Fort St. George; and *one* regiment of native infantry on the establishment of Bombay.

In the general distribution of the armies in India, which was made subsequently to the treaties of peace, concluded at the end of the year 1803, it was settled, that the army of Bengal should supply the troops required for the subsidiary force to serve with Scindeah, (being *six* battalions) and the subsidiary force to serve with the Ranah of Gohud, (being *three* battalions) as well as troops for the Company's territories under the presidency of Bengal, including the acquisitions in Bundlecund, those made from Scindeah in the Doab and in Hindustan, and the province of Cuttack.

By the same distribution, the government of Fort St. George was to supply, as it had formerly done, the troops to serve with the Nizam; and all those required for the southern parts of the Peninsula, including the garrisons and provinces on the coast of Malabar, (with the exception of Goa) and *one* regiment of cavalry for the Peishwah; —and the government of Bombay was to supply *six* battalions for the subsidiary force to serve with the Peishwah, *three* battalions to serve with Guickwar, a garrison for Bombay, a garrison for Goa, and troops to occupy the territories ceded by the Peishwah and the Guickwar in Guzerat, and in the neighbourhood of Surat.

The establishments in the year 1802-3 having been formed on the lowest scale, compatible with tranquillity and security, and with a view to external peace, it stands to reason, that they could not supply the additional troops required from them, without some additions. The establishment of Bengal required *an addition* of *six* battalions to serve with Scindeah, and *three* to serve with the Ranah of Gohud. The smallest number that could be required for the protection to be given to the cities of Delhi and Agra, to the person of the king, and to the territories in the Doab, in Hindustan, and in Cuttack, is *two* regiments of native cavalry, and *five* battalions of native infantry; which numbers complete the augmentation (viz. *fourteen* battalions) made to the Bengal army since 1802-3.

By

By the late arrangements made in India with Scindeah, it appears that the subsidiary troops for that chieftain, and for the Ranah of Gohud, will not be required for those services; and if it had *been intended to make a more favourable statement of the finances* in India, than their situation warrants, it would have been possible to strike off from the estimate of increased military charges, (amounting, as I have already shewn, to upwards of 60 lacks of rupees,) the expence of *four* regiments of native infantry, at least: but it is apprehended, that the service of a portion of these troops will be required in Bundlecund for some time; and, at all events, that the number of *two* regiments of native cavalry, and *five* battalions of native infantry, is scarcely sufficient to perform the additional services which will be required from the Bengal army, in consequence of the additions made to the territories under the Bengal government, by the treaties of peace concluded at the end of the year 1803.

In consequence of the distribution made in the year 1804, the duties of the provinces, on the coast of Malabar, which, in 1802-3, had been performed by the army of Bombay, fell to the lot of the army of Fort St. George. These duties had always required *eight* battalions; and when, in consequence of the distribution which I have already noticed, it had become necessary to remove the Bombay troops from those provinces to the northward, an augmentation of the army of Fort St. George, to the amount of *four* regiments, became necessary. The regiment of cavalry to be supplied to the Peishwah, also required that a regiment should be added to the establishment of Fort St. George.

The duties which fell upon the Bombay army by the distribution of 1804, required for the subsidiary force with the Peishwah *six* battalions, for the subsidiary force with the Guickwar *three* battalions, and garrisons for Bombay, Goa, Broach, Surat, and troops to occupy the territories of Guzerat and in the neighbourhood of Surat, ceded by the Peishwah, and the Guickwar, and conquered from Scindeah; the detailed number for each of which services it is not necessary to mention.

It will be observed from this statement, that the additional services required from the armies of Fort St. George and Bombay, in the year 1804, and at the present moment, beyond those required in the year 1802-3, exclusive of the garrison for Goa, are *one* regiment of cavalry, and six battalions

talions for the Peishwah, *three* battalions for the Guickwar, and troops for the conquered and ceded territories in the Guzerat. Accordingly, the addition made to the military establishments, the expences of which are included in the estimate of 60 lacks, are *one* regiment of cavalry and *four* regiments of native infantry for Fort St. George, and *one* regiment for Bombay; making, in the whole, *ten* battalions.

No reductions of these establishments can, in my judgment, be made with safety.

The total of charges, therefore, for the future peace establishment, including the charges of 1802-3, and adding the civil and military charges occasioned by treaties of subsidy, and by the consequences of the Mahratta war, will stand thus:

Charges of 1802-3 - -	£10,656,834
Additional civil charges, rendered necessary by treaties of subsidy, peace, &c. -	477,590
Additional military charges - -	705,000
Total future charges - - -	11,839,354
The revenues, as before stated, will be -	14,668,119
Leaving a surplus revenue of -	£2,828,765

From this sum must be deducted the interest of the debt, as stated in the account, No. 2, page 93, 1,823,040*l.*; to which sum must be added the interest on the sum to be borrowed to supply the deficiency in the year 1805-6, viz. 2,655,957*l.*, being at 10 per cent, 265,595*l.*; making the total interest of the debt, in 1806, 2,088,635*l*; and the actual surplus, after providing for every demand, will be 740,130. In calculating this surplus, no credit is taken for any augmentation of revenue beyond 1802-3; although it is certain that some branches, such as salt and opium, must be, and have been already augmented; the revenues of the provinces gained by the peace, will also produce more than they have been estimated at.

The actual debt in India, in April 1805, was, according to account No. 1, page 90, 28,197,498, including arrears of establishments, debts not bearing interest, and demands upon the company of every description.

To this debt must be added the deficiency of resource, as stated in page 93, for the year 1805-6, being 2,655,957; and the total gross debt, on the 30th of April, will be 30,873,455*l.*

30,873,455*l.* From this sum ought to be subtracted 3,151,064*l.* (being the amount in possession of the commissioners for the redemption of the debt, on the 30th of April, 1805,) and the balance will give 27,722,391*l.* for the *net debt* of India, on the 30th of April 1806; of which sum, the amount bearing interest, appears to be 24,250,824*l.*

When this debt, however large, is compared with the assets in India, and with the value of the forts, houses, warehouses, &c. in India, (valued in No. 23, page 78, at 9,994,208*l.* all necessary for carrying on government, which have cost money, and would cost money to the company's successors, whoever they might be, supposing the transfer of the territory ever to take place), and when to these sums are added the amount of the company's claims upon government for money expended in India, on account of the public, it may fairly be stated, that the *actual value* of the property of the East India company in India *exceeds* the amount of their debts.

I am aware of an error in this statement, as in this view of the debts and assets, the amount in the possession of the commissoners of the sinking fund ought to be subtracted from the amount of the quick stock, on the 30th of April, 1804. But there is an error also in the assets. The quick stock is estimated only to April, 1804, and is stated in page 72, to amount to 17,252,399*l.* But in the calculation of these assets, there is an omission of 12,48,600 pagodas in the cash at Fort St. George. It appears by the paper, No. 19, page 63, that the balance remaining in the different departments at Fort St. George, on the 30th of April, 1804, was 57,19,605 pagodas; whereas credit is given in the account of the assets to the same period, for only 44,71,005 pagodas. The difference between these sums ought to be credited to the assets in April, 1804, viz. 12,48,600, or 500,000*l.**

The additional sum in the hands of the commissioners of the sinking fund, on the 30th April, 1805, ought likewise to be added to the assets calculated to that period. The sum stated in page 48 to be in the hands of the commissioners for the reduction of the debt on the 30th April, 18 4, is - - - Ct. Rs. 2,80,00,563
On the 30th April, 1805, it is Ct. Rs. 3,15,10,648

* There is also a small sum of money omitted in the cash at Bombay, but this is not taken into the account.

Difference

Difference to be added to the assets calculated up to April, 1805 - £.35,10,085

In estimating the assets to April, 1806, it is proper to add to them the sum which will be in the hands of the commissioners of the sinking fund in April, 1806, viz.

Interest upon the sum of 3,15,10648 current rupees, for one year, from April, 1805, to April, 1806, at eight per cent. is about £.25,00,000

To the assets then, as they stood in April, 1804, viz. - - £.17,252,399

must be added the sum at Madras omitted 500,000

the additional sum stated to be in the hands of the commissioners of the sinking fund, in April, 1805, - - 351,008

the interest upon 31,510,648 rupees, or 3,151,064*l.* for one year, to April, 1806 250,000

And the total of the assets in April, 1806, will be - - £.18,253,407

This view of the debt and assets of different descriptions, however, is taken only as a general one, and not by any means to be relied upon. Measures undoubtedly ought to be taken to reduce the amount of the debt; but if, from circumstances, those means should be impracticable, this general statement will serve to shew, that in case of the transfer of the territory, upon the conclusion of the charter, there is value in India to the amount of the debt.

But it may be contended, that this statement is no justification of the amount of the debt, which, from 1793, when it was 7,362,190*l.* has increased to be, in April 1806, 27,722,391*l.*; of which sum 16,669,745*l.* have been incurred since 1798, under the administration of the late Governor-General, Marquis Wellesley.

In order to understand the mode in which this debt has been incurred, it is necessary to advert to the state of the company's affairs in 1798.

The revenues at that time were - £8,059,880

The charges, including supplies to Bencoolen, &c. - - - 765,654

The interest of the debt was - 603,926

Leaving a deficiency of resource, or a surplus net charge, of - - 194,700

The debt in 1798 was	£.11,032,645
The assets in India were	9,922,903

This state of the resources in India had been occasioned by a laudable desire to increase the investment as much as was possible, which will be seen by a review of what had passed between the years 1793 and 1798.

In April 1793 the revenues of India were	£.8,294,399
The charges, including Bencoolen, &c. were	6,155,968
The interest of the debt was	526,205
The debt was	7,362,190
The assets were	8,834,538
The surplus revenue, after providing for all charges, exclusive of receipts for sales, &c. was	1,612,226

In the course of the five years between 1793 and 1798, the following events occurred to increase the charges in India: there was war in Europe; an expedition was fitted out against Mauritius; and another against Manilla; Pondicherry and Cochin were taken; and maritime expeditions were sent against Ceylon, Malacca, and the eastern islands.

It was necessary to keep up large establishments in the conquests made; and salaries were paid to the civil and military servants of our enemies who became our prisoners.

During the same period of time, the company's military establishments in India were new-modelled, and this occasioned an increase of expence. The civil and judicial establishments in Bengal were fixed on the just scale on which they exist at this day; which at that time occasioned an increase of annual expence to a very considerable amount. Accordingly it appears, that the actual charges of the civil and military establishments in 1798, exceeded the actual charges of the civil and military establishment in the year 1793, in the amount of 1,372,209*l.* and the supplies to Bencoolen, &c. of 1798, exceeded those of 1793 in the amount of 102,477*l.* But the efficient cause of the state in which the finances were found, in the year 1798, was the continuance to send home investment at the high rate at which it had been fixed in the year 1793, notwithstanding that the charges of India had necessarily increased, and the revenues had decreased to the amount of 234,519*l.*

By reference to the accounts, it will be found, that in the *five* years between 1793 and 1798, the cost and charges

of investments sent home to Europe, was	£.9,892,794
Supplies to China - -	339,444
Amount advanced in India to the King's and Company's ships during the same period, was - -	551,952
Making a total disbursed on account of London, of - - -	10,784,190
The amount of supplies received from Europe, in the same period, for bills drawn, stores, merchandize, export sales, and bullion, was - - -	3,744,425
Leaving a balance of - - *against* London.	7,039,765

It appears by what is above stated, that the charges in India, between 1793 and 1798, had increased considerably; but there was upon the five years a surplus of receipt of revenue beyond the charges, amounting to 4,181,559*l.* which being deducted from the balance before stated, *against* London, leaves the sum of 2,858,206*l.* which must have been borrowed in India at high interest, for the purchase of investment.

It will be found, that the debt incurred in the five years, from 1793 to 1798, was - £.3,665,455

The increase of the assets in those five years was - - -	1,088,365
Those in 1793 being - -	8,834,538
Those in 1798 being - -	9,922,903
And the actual increase of the debt in comparison with the assets, was -	£.2,557,090

In a minute which Lord Wellesley recorded in June, 1798, he reviewed the state of the finances in India, and pointed out the real cause of the increase of debt in the following words:

"From that paper it appears, that, allowing for a supply in the course of the year 1798-9 to Fort St. George, of 75,00,000 sicca rupees, or 937,500*l.* and to Bombay of 25,00,000, or 312,500*l.* the deficiency for which provision must be made, in order to meet the expected demands at the three presidencies respectively, will be in - - Bengal, - 1,28,68,360

" Madras, - 43,45,351

" Bombay, - 41,76,611

"The total deficiency therefore at the three presidencies together,

" together, will amount to sicca rupees 2,13,81,321, or " 2,672,655*l.*

" The immediate causes of the estimated deficiency " will appear obvious from the annexed accounts.

" By account (No. 2) the sums appropriated in India " to the purposes of investments and commercial charges, " in the years 1796-7 and 1797-8, amounted to 4,96,15,165 " current rupees; having been, in 1796-7 2,30,70,125 " and in 1797-8 - - 2,65,45,040 " and exceeding the amount of bills drawn upon the court " of directors from India, within the same period, by the " sum of 3,83,39,263 current rupees; the bills drawn on " the court of directors having been,

" in 1796-7, - - 79,88,699
" and in 1797-8, - - 32,87,203

" And by account (No. 3) it appears, that the proposed " investment, for 1798, from all our India possessions, " including the supply promised to Canton, amounts to " 2,40,88,000 current rupees.

" But the accounts Nos. 4, 5, and 6, shew, that the total " sum applicable to the purchase of investment from the " revenues in India, and produce of sales of imports from

" Europe, was, in 1796-7, - 81,43,858
" in 1797-8, - - - 96,44,550
" and is estimated to be in 1798-9, - 78,20,133

" This annual demand for the purpose of investment, " upon a scale *so far exceeding the annual means of* the " three presidencies, is the *principal cause* of the present " deficiency.

" The comparative view which I have taken of our ex- " pences and receipts, in examining the causes of our actual " distress, sufficiently proves, that many of those causes " are of an absolute permanent nature, and that most of " them must be expected to continue for a considerable " time; that the investment, at once the most powerful " cause of our temporary distress, the main spring of the " industry and opulence of the people committed to our " charge, and the active principle of the commercial in- " terests of the company, is more likely to be increased " than to be diminished in any future year; and, conse- " quently, that the embarrassments of our finances *must be* " *progressive*, if some means be not devised for aiding " the resources of this presidency, which must now be " considered as the general treasury and bank of our Indian " empire,

"empire, furnishing supplies for the services of all our "other possessions in India, as well as a large and increasing "proportion of the capital employed in the trade to Eu- "rope and to China.

"The mode of supplying the assistance which I would "recommend, has already been suggested by the account- "ant-general, and seems to unite several advantages with "relation to the interests both of India and Great Britain: "it is comprised in the following propositions.

"That it be respectfully recommended to the honourable "the court of directors, to take the earliest occasion of "sending out supplies to India to the amount of eighty- "five lacs of rupees, or 1,062,500*l.* in addition to their "usual consignments, by an increase of their annual ex- "port of British manufactures and produce, to Bengal and "Bombay, to the full extent of the indents from Bengal "and Bombay respectively; and by an annual supply of "silver bullion to Bengal, to the amount of *fifty* lacs, or "625,000*l.* The supply of bullion to be provided in part, "by a proportionate reduction in their usual consignment "to China.

"The increase of the export of British manufacture and "produce to Bengal and Bombay, will, probably, afford "considerable relief to the finances of this government; "as, by reference to the account of sales of imports from "England, it appears, that the average profit upon the "imports from England, sold in Bengal in 1796-7, has "been above *twenty* per cent. and at Bombay *thirty-five* "per cent. and that demand is increasing. This measure "would, at the same time, obviously become highly be- "neficial to the interests of Great Britain.

"The export of silver to Bengal would be more advan- "tageous to the company than the payment of bills, at the "present high rate of exchange; a rate which will proba- "bly continue for a considerable period of time. Such a "stock of silver would be a relief both to public and pri- "vate credit, and would invigorate all the financial ope- "rations of this government. From this resource supplies "might easily be furnished to Canton, through the medium "of the trade in opium.

"If the sale of British manufactures in Bengal and at "Bombay should equal the general expectation, an addi- "tional supply of near a crore of rupees (1,250,000*l.*) "would accrue to this presidency from the combined re- "sult

"sult of the two proposed measures. This supply would "be nearly equal to the probable amount of the perma- "nent deficiency of our resources.

"Nothing would be more just than to appropriate a "proportion of the profits arising from the sale amount of "the investment in Europe, to the augmentation of the "funds necessary for the purchase of investment in India. "*Unless some such plan be adopted*, or *some other means* "*devised of furnishing aid* to the resources of Bengal from "England, it is evident, that a reduction in the amount "of the Indian investment will soon become inevitable; "for it cannot be denied, that a very large proportion of "the capital, which has passed into Europe, through the "medium of Indian commerce, for these last two years, "and is about to pass in the present year, has been, and "must be, created by *loans* of money, *raised in India, un-* "*der every circumstance of disadvantage.* The *increase* "of the investment, therefore, during the period described, "must be viewed as representing, *not the surplus revenue,* "*but the increased debt* of India. The circulating capi- "tal of India, which is known to be very inconsiderable, "in proportion to the productive and commercial powers "of the country, cannot supply so large a drain for any "long period of time, even in the event of peace; but if "the war in Europe *should continue*, the *difficulty of* "*raising money* for the public service, *by loans to be nego-* "*tiated in India*, must become nearly insurmountable."

At *that early period of time*, the governor-general earnestly urged the company to provide for the provision of investment, by increasing the amount of the supplies sent from Europe.

They were still continued, however, upon a scale much too low for the amount of the investment, notwithstanding the efforts which were undoubtedly made by the noble lord who, at that time, presided at the board of controul, and by my noble friend, (Lord Castlereagh) and by the court of directors, to send out larger sums.

By a reference to the papers before the House of Commons, it will be found, that the total amount of the sums laid out in investment from April, 1798, to April, 1804, was - - - £9,619,318

Supplies to China - - 1,761,263

Of advances to the King's and to the Company's chartered ships in the same period 448,931

Making

Making a total advanced in India, up to 1804, - - -	£.11,829,542
In making up the account of the sums advanced in India, on account of the home concern, the following must be added:	
Advances for Ceylon, - -	1,182,472
Making a total advanced for the *home* concern, up to April, 1804 -	£13,012,014

The total actual amount of the supplies received in India, by the sale of goods, in bullion and stores, and for bills drawn on the directors in the same period, appears to be £9,864,086

The balance is - - 3,147,025

for which London is *indebted* to India.

It may be said, that the company had a right to expect aid from the territorial resources of India; that the revenues have increased since April, 1798; and that the financial distresses which existed at that period were very soon removed.

The events which have occurred since April, 1798, must be recollected. The first of these, in point of time, was the war against Tippoo Sultaun; at the same time that a large army was put into the field on the frontiers of Oude, to oppose Yemaun Shah. The army of Fort St. George did not return to its quarters till the month of December, 1799; and in the month of May, 1800, the army of Fort St. George was assembled again, and put down the rebellion of Doondeah Waug. Before this service was completed, an expedition was fitted out against Egypt; and, in a very few months after the troops had returned from Egypt, the armies of Fort St. George and Bombay were assembled and increased, in consequence of the disturbances in the Mahratta empire.

Besides all this, the pay of the King's and the company's troops, serving under Fort St. George, was increased; and the civil and judicial establishments, under that government, were placed on a more just scale than they had been before.

During these great and extensive military operations, a variety of others were necessarily carried on in different parts of the peninsula, each of which had a tendency to increase the military charges.

According

According to this statement, it appears, that *a very considerable proportion of the debt* in India had been incurred at different times by the *purchase of investment*. If the account between the revenue of India and the company had been kept in the form of a merchant's account, or in the manner in which the East India Company keep their account against the public, the interest upon each sum borrowed for the commerce of the company would have been carried to account against them from the moment at which such sum was borrowed.

In this view of the case, the interest, at 10 per cent. upon 2,858,206*l.*, being the amount laid out in India BEYOND supplies from England, and surplus revenue previous to 1798, would be annually - - £. 285,820
And for eight years, to 1806, - - 2,126,560
The interest upon the sums borrowed since 1798, each for their respective number of years to 1806, - - - - 633,005

Making a total of - - £. 2,759,565

It is evident that all these sums have been charges upon the revenues, and of course have contributed *to swell the amount of the existing debt*.

There is also in the amount of the debts incurred during Lord Wellesley's government, as before stated, a sum of 1,200,000*l.* on the revenues of the Carnatic, with interest; which debt was incurred previously to Lord Wellesley's arrival. The mode in which this debt was incurred is as follows: The registered creditors, under the act of 1784, had a right to certain portions of the annual payments made to the company by the Nabob, under the treaty concluded with that prince by Sir Archibald Campbell.

In the year 1791, Lord Cornwallis assumed the Nabob's countries, and applied all the revenues to defray the civil and military charges of the Company. The creditors applied to the Company, and the decision was not passed upon the subject, till after the year 1798; when the principal which had been due in 1791, with interest calculated to that period, was added to the Company's bonded debt of Fort St. George.

But there is another view which may be taken of the debt of 27,722,391*l.*, which is supposed to be due in India, on the 30th of April, 1806; 16,669,745*l.* of which have been incurred since the 30th of April, 1798.

The

The assets in India, in April, 1798, were £. 9,922,903
In April 1806, supposing them the same as in April 1804, they were - - 17,252,903
Increase of assets in that period is - 7,229,399
Subtract the increase of assets from the amount of the increased debt since 1798, and the remainder will be - - 9,440,252
(which is the *net increase of debt*)
Set off against the net increase of debt, the sum of - - - 3,147,725

being the sum applied to investment, to supplies to China, and to his Majesty's and to the Company's chartered ships, *beyond* the amount of the exports and supplies from Europe, and the result will be, that *the debt incurred in India*, on account of civil and military establishments *and services of all descriptions*, including the Egyptian expedition, is 6,292,527*l.** in *eight* years, from April, 1798, to April, 1806.

This view is liable to the same exception as the former, on account of the errors in the accounts of the assets; but the error is not of very great magnitude. In this account of debt, supposed to have been incurred on account of political expences, is included the amount of supplies to Bencoolen and St. Helena, which, in the six years, from 1798 to 1804 only, amount to £. 1,096,736.

Upon a review of the accounts which have been laid before Parliament, at different times, it appears, that large sums have been expended in India, for services chargeable to his Majesty's government; the Egyptian expedition was carried on at the expence of the Company; and expences have been incurred in India on account of expeditions against the Danish settlements, and of their capture; for all of which expences the Company have a claim upon the public.

But as these expences have been *incurred* in India, and *have been a charge upon* its revenues, the amount allowed

	£. Sterling.	
* Increase of debt as above, for service in India - - -		6,292,527
Deduct Egyptian expedition - - -	£. 902,861	
Carnatic debt, with interest, as stated in Lord Castlereagh's printed Budget - -	1,800,000	
		2,702,861
Remains for the *net debt* incurred on account of Indian Expences, during *eight years*	£. 3,589,666	

for them, and paid, or to be paid, to the Company, ought fairly to be *set off against the amount* of the debt, as well as the sums advanced to his Majesty's ships, and for the government of Ceylon already noticed.

There are other sums also which *now constitute a part of the debt* in India, the *value of which* the Company have received in England.

The total charge of the Molucca Islands, during the time they were in the possession of the British government, ought to be carried *against* the home concern in the analysis of the debt in India; as nearly the whole of the produce of the Moluccas was sent home, and sold for the benefit of the East India Company.

After this view of the debt, it is to be hoped that its amount, considering all the circumstances which have contributed to raise it, will not prove that the Company's affairs have been managed in an improvident manner; and that the public will see, in the general situation of the Company's finances, ample means of reducing this debt to any amount that may be deemed advisable.

If the mode proposed of drawing a proportion of the debt to England be adopted, and the saving of interest, which will be the result of this operation, be added to the annual interest, calculated to amount to 250,000*l.* upon the principal now in the hands of the commissioners for the redemption of the debt, this revenue alone will make an impression upon the debt, which must soon reduce it to the level to which every body wishes to see it reduced.

Notwithstanding the large amount of the debt, and the embarrassments occasioned in India, at different times, by the great demands for the various services which were in progress, the Company's credit was improving from the moment of Lord Wellesley's arrival in India, to the moment of his departure.

On the first of June, 1798, the 12 per cent. paper in Bengal bore a *discount* of ¼ to ½ per cent.; on the 29th of July, 1805, the 12 per cents. *were all paid off*, and the 10 per cent. paper bore a *premium* of 4 per cent. In June, 1798, the 8 per cent. paper was at a *discount* of from 12½ to 13½ per cent.; in the beginning of 1805, the 8 per cents *were at par*, and would have continued so, if it had been possible to send out specie from England at an early period in the season. In July, 1805, they were at a *discount* of from 3¼ to 3¾ per cent.; in June, 1798, the 6 per cent. paper

paper was at 21 per cent. discount: in 1805, the 6 per cents bore a discount of only 8¼ per cent.

This improving state of the credit is to be attributed to the public confidence gained by the regularity and *publicity* of all the financial operations of the government; by the measure of establishing funds at Fort St. George and in Bengal, for the redemption of debt; and by the judicious measures adopted for the improvement of the revenue.

The amount in possession of the commissioners for the redemption of the debt, on the 30th of April 1805, as appears in page 90 of the printed accounts, is 3,151,064*l.* which sum, at 8 per cent. interest, will give nearly 250,000*l.* per annum for the reduction of the debt.

The improvements effected in the revenue during Lord Wellesley's government also deserve notice. Exclusive of the increase of revenue, by territorial acquisitions, and by subsidies, it appears, that every branch of the revenue of 1798, under the Bengal government, which, in the five preceding years, had *decreased* to the amount of 234,519*l.* was *improved*, under Lord Wellesley's government, as follows:

	1798	1803-4	Increase.
	S. Rupees.	*S. Rupees.*	*S. Rup.*
Mint duties	64540	68042	3502
Post-office	140398	248127	147729
Stamp duties	92416	547137	454721
Licences for sale of spirituous liquors	47531	138209	90678
Fees and fines	6606	96049	89443
Provincial police	427928	456217	29289
Land revenue	29825983	31805421	1979438
Salt	10302783	15374223	5071440
Opium	2084184	3989200	1905016
Customs	1251469	3228865	2023396
Increase of the old revenues of Bengal during Lord Wellesley's government		Sicca Rups.	10794652
		£. Sterl.	1,349,331

The *total increase of revenues* during Lord Wellesley's administration, in different parts of India, is £.6,608,239

The revenues having been, in 1788 - - - 8,059,880
And those estimated by me for the future £13,668,119

The general commerce of the country is improved equally with the revenue. It appears by the public documents before the House of Commons, that the commerce of India is now able to supply the China market so effectually as nearly to preclude the necessity of sending bullion to China; and large sums in specie are now imported into India from that country.

After the view which I have taken of the general situation of the affairs of the East India Company in India, I hope that it will be found, that their debt, although large, and certainly pressing in a very great degree upon their prosperity, and upon the attention of those who have the management of their affairs, is not of a magnitude to create any danger; that it appears, that there are means of reducing it, at no very great distance of time, to a moderate amount; and that under the auspices of the noble Lord (Morpeth), by a just attention to the system of economy which he has recommended, and by reverting to the system and scale of establishments fixed in 1802-3, with such augmentations as the change of affairs has rendered necessary, and as I have already described, the revenues of that great empire will be found to afford ample means of restoring the finances.

Mr. W. Keene observed, that if it were not for the precaution of the noble Marquis, Bonaparte might possibly before now have had such a footing in the East as would shake the interest in India.

Mr. Grant had a statement in his hand which he had reason to believe to be correct; the only mode of ascertaining where the error lay, was by comparison, it was impossible then to enter into the detail; it might be done upon the report.

Mr. Prinsep rose, and declared, that he could not allow the committee to rise without first delivering his opinion, at great length, on the alarming aspect of the company's affairs, whom he declared to be in a state of absolute insolvency. Rather than again forego his privilege, of which he had been more than once deprived in the way now attempted, he would count the House. He was ready at that late hour to enter into this investigation, or to adjourn the debate.

Mr. Hobhouse (the chairman of the committee) stated that

that the honourable member might, perhaps, have an opportunity of the comparison previous to the bringing up of the report: it would then be equally competent to him to urge his objections, as it was at the present moment.

Mr. Paull was confident, that, upon the resolutions being taken into further consideration, he would be able to disprove every part of the honourable gentleman's statement.

Sir A. Wellesley declared, that he was extremely willing to shew his statement to the honourable director, or any other member who might be desirous of making a comparison with any statement of his own.

Mr. G. Smith denied that the company was in a state of insolvency, and observed, that such an assertion as that which the honourable alderman had made, required some further explanation.

Mr. Prinsep was then proceeding to account for the opinion which he had advanced, when

Lord Castlereagh observed, that, from the honourable member's course of reasoning, it was evident that his explanation would occupy more time than was desirable at the then late hour.

On the suggestion of Lord Morpeth, the chairman reported progress, and obtained leave to sit again on Tuesday next.

On the motion of Mr. Paull, an account of the expence of printing papers relative to the affairs of India, from March last to the latest possible period, was ordered to be laid before the House.

The other orders of the day were then disposed of, and the House adjourned at two o'clock in the morning.

HOUSE OF LORDS.

FRIDAY, JULY 11.

In the appeal "Rennie v. Tod and others," Mr. Horner was heard for the respondent, and the Lord Advocate of Scotland in reply. The further consideration of the appeal was deferred till Monday.

Mr. Bankes, and several other members of the House of Commons, brought up a message, desiring a conference on the subject matter of the last conference.

On the motion of Lord Walsingham, the Lords agreed

to a conference on Monday, at five o'clock, in the Painted Chamber, of which the messengers were called in and informed.

Sir J. Sinclair, and several other members of the House of Commons, brought up Sir John Gordon's divorce bill, returned, and agreed to; the vote of credit bill, the Newfoundland fishery bill, the bankrupt laws bill, and some private bills, which were read a first time. The bankrupt laws bill was ordered to be printed.

The Greenwich chest bill, and the Greenwich hospital bill, were read a second time, and committed for the next day.

On the second reading of the Irish school commissioners bill,

Lord Redesdale made a few observations on the clauses of the bill, for the purpose of shewing the necessity of amending them in the committee.

The bill was committed for Tuesday.

Mr. Hobhouse, and several other members of the House of Commons, brought up a message, stating that Sir John Gordon's divorce bill had been sent up by mistake, and requesting to have it returned.

On the motion of Lord Walsingham, the bill was ordered to be returned, and the messengers being called in, the bill was delivered by the clerk to Mr. Hobhouse.

Sir John Newport, and several other members of the House of Commons, brought up the grain interchange bill, the Irish quit-rents bill (which was ordered to be printed), and the oil of vitriol bounty bill, which were read a first time.

TRAINING BILL.

Earl Spencer moved the order of the day for the House resolving itself into a committee on the training bill. His lordship observed that this bill was one to which he could scarcely anticipate any objection. It was founded on the exercise of his Majesty's undoubted prerogative, a prerogative which had never been disputed, that of calling out all those who were able to bear arms for the defence of the country against an invading enemy. The only question that could arise was as to the means of exercising that prerogative. Under the present circumstances of the country, and looking as we must do to the enormously increased power of France, it was evident that it was absolutely necessary that a large efficient force should be kept up ready for

for the exigency of the moment. The object of the present bill was to train to the use of arms two hundred thousand men, who might, in case of necessity, come in aid of the other force of the country. It was not to be said that because we had already a large force, that therefore it was unnecessary to resort to other measures; it should be remembered that, on our vast extent of coast, it was impossible strictly to guard every point; it was therefore the more necessary that there should be an efficient force ready to bear down upon any point where their services might be most wanted. Provision was made in this bill, that it should interfere as little as possible with the varied pursuits of the people, or break in much upon their convenience; and at the same time an option was given to those who might not wish, for various reasons, to be trained with the persons on whom this bill would generally operate, or who could not go out to be trained without great injury to their business, to pay instead a pecuniary fine. It was also provided that the number to be called out should be balloted for, which was thought, and justly in his opinion, the fairest mode of choosing the persons to be trained, thereby avoiding all partiality. He was convinced that when the bill was thoroughly understood in the country, the voluntary zeal and ardour of the people would render it unnecessary to carry the compulsory provisions into execution. The bill might not be immediately operative, but he looked forward to the most beneficial permanent effects from such a system. It was not merely at the exigency of the moment that he looked to the bill for aid to the country, but he considered it as a means of inspiring a military character into a large mass of the population of the country, and thus, in the midst of our commerce and our wealth, giving us also military strength, and enabling us to enter, fully prepared, into any future war, with the means of sending out of the country a large disposable force. He concluded by moving that the House should resolve itself into a committee on the bill.

Lord Viscount Melville said it was not his wish to oppose any measure which his Majesty's ministers considered necessary for the defence of the country, but he must beg leave to express his doubts as to the propriety or utility of the present bill. In considering this measure, he naturally looked to the present state of the military force of the country, and when he found that we had at present a volunteer force of from three to four hundred thousand men,

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in addition to the regular army and militia, he was induced to ask where was the necessity of this measure? We had already a large force of a much superior description to any that this bill could give; a force which had arisen out of the voluntary spirit, the zeal and the ardour of the country; a force, in contemplating which, every man might sleep sound in his bed, and consider the country secure. Why then resort to compulsory means, when we had already a sufficient force, and when the country was already secure? To resort now to such a bill as the present, would tend to dishearten and discourage that voluntary force, to whom the country were so much indebted, by telling them that they were of little use; that notwithstanding all their zeal and ardour, it was still necessary to resort to compulsory means to ensure the security of the country. He did not mean to insinuate that noble lords on the other side had any wish or intention to discourage the volunteers; but declarations had been made, which had gone forth to the country, and which certainly tended to damp the ardour and the spirit of those who had so loyally and so patriotically stepped forward in the hour of danger to take up arms in the defence of the country. How was such a force as the present to be properly disciplined? how was it to be officered? No means were pointed out by which such a force was to be rendered really efficient. A great expence would be incurred in carrying the provisions of the bill into execution; an expence for which he had not the least doubt that four hundred thousand volunteers might be provided, properly armed, accoutred, clothed, and officered; a force which, it was needless to say, would be of a much superior description to that which would arise out of the present bill. There was, besides, another objection to the present measure, arising out of a bill of a similar nature, brought forward at the commencement of the war; in which it was provided, that if a number of volunteers came forward, equal to six times the number of the militia, the compulsory provision of training should not be resorted to. Considerably more than that number of volunteers did come forward, and now, notwithstanding that, a new bill was brought in, to carry into execution a compulsory mode of training, and thus to substitute a force which was not known, nor never had existed in the country, for one which had been already tried and found efficient. He was thoroughly convinced that nothing had tended in a greater degree to silence the boastings of the enemy, and shew him

the

the futility of his schemes against this country, than that zeal and patriotism which had been so eminently evinced by the volunteers; and he appealed upon this subject to a noble lord (Moira) on the other side of the House, who, when commanding in Scotland, spoke in the highest terms of the quality and efficiency of that description of force. If, then, as he contended, the volunteers were an efficient force, where was the necessity of resorting to a measure for training a large portion of the population of the country to arms? The volunteers were, in fact, the trained population of the country, and trained in a manner greatly superior to the training which would be carried into effect under this bill. He agreed in the policy of training young men to arms, and making it a part of their education, but he thought it would be much better to give up the present bill, which could not, at any rate, be carried into effect for some time to come, and next session a bill might be brought in with provisions more adequate to the intended object.

The Earl of Moira said, the noble viscount agreed in the necessity of having a large efficient force under the present circumstances of the country; the only difference of opinion between them was as to the quality of that force. He had been appealed to by the noble viscount with respect to what was formerly uttered by him, as to the efficiency of the volunteer force of Scotland, and to that opinion he still adhered. At the time he commanded in Scotland, he not only undertook the defence of that country, but also of the northern parts of England; and had so high an opinion of the volunteer force, that he would have led them on with the utmost confidence against an invading enemy. It was in that confidence in the volunteers that he parted with the regular troops under his command, who were thereby rendered disposable for the service of the country in other quarters. This was not an overweening confidence, but a confidence founded upon an experience of the efficiency of the volunteer force, a confidence which he still maintained; nor would he hesitate to lead on such a force against any veteran army of France which could effect a landing here. The noble viscount had contended that our present force was sufficient for our defence; this argument might be good, if we could know at what point an enemy might attempt to effect a landing, or that he would only make the attempt at one point; but with our vast extent of coast, this was absolutely impossible, and therefore it became necessary to have a large efficient force in the country, ready for the

exigency of the moment. He admitted that the volunteers were of a much superior description of force to the force which could be procured under the present bill, but it was not intended, as the noble viscount had said, to substitute this force for the volunteers, but to bring it in aid of them. The noble viscount had talked of expressions which had been used, tending to discourage and dishearten the volunteers, but he disclaimed any such intention in any of his colleagues in office, and maintained that what had been alluded to had been invidiously represented. Our present force, it was said, was sufficient for the defence of the country: but were they to look only to the defence of our coast, without considering the modes adopted by the enemy, of attacking the resources of our commerce and our prosperity in other quarters? No: he looked forward to a period when, if the war continued, we might, by means of our volunteer force, and the force raised under this bill at home, be enabled to send every battalion of regular troops out of the country, to combat the enemy in those quarters where they were attacking our resources and our interests. Were an enemy then to land in this country, he would lead on a volunteer army against them with the utmost confidence. It would be wise policy, in such a situation, not to risk a battle without absolute necessity, but in the mean time the peasantry trained under this bill might be most advantageously employed in firing from behind hedges and banks upon the columns of the enemy; who, unable to send out detachments, and perpetually harassed by this mode of attack, would ultimately be overwhelmed and completely defeated. He could not conceive by what mode of calculation the noble viscount had discovered that two hundred thousand volunteers could be raised for the same expence as would be incurred under the present bill. How those two hundred thousand volunteers were to be raised, it was beyond his comprehension to discover. As to the objection, that there was no provision for officering the men trained under this bill, it was not intended to officer them until the exigency of the moment might require it, but merely to train them to the use of arms, that, in the case of emergency, they might be employed with effect against an enemy, and in aid of the volunteers. He considered the bill to be well calculated for the purposes which he had mentioned, and its provisions to be well adapted to secure the objects intended to be effected.

The Earl of Westmorland contended that the bill imposed

posed a heavy burden upon the country without the probability of deriving from it any adequate advantage. There were, he believed, 15,000 parishes, and how were the men in these different parishes to be trained?—how many serjeants and constables must there be?—how many drums and fifes? what was to be done with the arms?—were the serjeants to travel in post-chaises or balloons? There appeared to him to be no adequate provision for carrying the object of the bill into effect. The bill, besides, threw a slur upon the volunteers, by declaring that their services were inadequate. It had been said that opinions given respecting the volunteers had been misrepresented; but was it meant to be stated that all the newspapers and all the short-hand writers had been bribed to circulate a misrepresentation through the country? Were not other measures, not favourable to the volunteers, suggested by his Majesty's servants through the mouth of his Majesty?

Lord Grenville spoke to order. The noble lord was, he conceived, irregular in discussing opinions uttered in another place, and certainly in mentioning his Majesty in the way he had just done.

The Earl of Westmorland said, if the expression he had used was improper, he would say measures that had been announced by his Majesty through the mouths of his servants.

Lord Grenville again spoke to order, declaring it disorderly for any noble person to say that his Majesty spoke through the mouth of any member of parliament.

The Earl of Westmorland apologized for having used the name of his Majesty in any way that was conceived improper, but contended that in discussing the opinions used in another place he had only done what had been done before in the course of the debate. His lordship resumed his arguments against the bill, which he contended was not calculated to produce any advantage to the country.

Lord Viscount Sidmouth defended the bill, which he contended was not near so rigorous in its provisions as the bill of a similar description brought forward when the noble lord (Westmorland) and himself were in administration. The object of the bill was to raise a force which might be rendered essentially useful, either by being incorporated with the regulars or the militia, or in other modes, in the event of an attempt on the part of the enemy. It had been truly said, by a great and eminent character, that we might have in this country what an enemy could not

bring with him—an armed people, whom no enemy could conquer. It was in this view that the bill was essentially important, as contributing materially to that great object. It had been insinuated by the noble viscount (Melville) that this measure was a breach of faith with the people, in as much as, by the last training bill, compulsory measures were not to be adopted, if the volunteers to a certain extent came forward. That bill, however, only authorised his Majesty to suspend, in that event, the operation of the compulsory clauses; but did not, nor could, affect his Majesty's prerogative to call out the people whenever necessary. The present measure was rendered necessary, in order to raise a force sufficient for the purposes for which it was wanted, and which would come in aid of the volunteers.

Lord Eldon declared, that no man more highly approved than he had done, and that none could at this moment be more firmly convinced than he was, of the propriety and merits of the military measures brought forward by the noble viscount who spoke last. The measures of the ministry who succeeded the noble viscount, at the head of whom was that great man whose loss was now so justly deplored, he was also convinced were the best which could be resorted to in the situation in which the country was placed. These measures had also been approved of by the noble viscount, and he (Lord Eldon) was only afraid the noble viscount was not entirely aware of the nature of the present measures, introduced by those with whom he now acted, who had so loudly decried the measures of the noble viscount and of his successor, as being totally weak and inefficient. The opinions of the present government, as to the volunteer force of the country, it was not his wish to judge of from any representations which had taken place out of the House. He must therefore collect it from what he should hear their lordships say in their places that night. He must, however, declare, that, in his opinion, to them this country was not indebted alone for safety from a foreign foe, but that from their being collected together at the period when they were first embodied, was owing to the existence at this moment of the constitution. The present bill or any other which could have any tendency to degrade them, or to render their services less beneficial, he could never approve of. He alluded to the promises of ministers to bring forward a complete military system, not

a piece

a piece here and a piece there—but contended that in this they had completely broken their word, and that after an interval of some months, first one part of their system, and now at the distance of another month another part of their system, had been introduced.

Lord Grenville, after the able statements in support of the measure made by his noble friends near him, should not have thought it necessary to say a word on the subject, had it not been for the observations of the learned lord who spoke last. For the right honourable gentleman now no more, to whom the noble and learned lord had alluded, no person could feel more strongly than he did. He had been his dearest friend, and when he had differed from him it was with sincere regret; but, at the same time, he could not sacrifice to him his judgment and every idea of propriety. With respect to the opinions of his Majesty's ministers as to the volunteers, every individual member of administration in this House knew that there was but one opinion among them. This opinion, he desired, might be collected, not from their words, but from their conduct. Had they not been among the first not merely to countenance and encourage, but themselves to take a part in that service; and could it be supposed that they wished to do any thing which should go to degrade and insult themselves and their comrades and companions in arms? For the government collectively, too, he could declare, that so far from degrading, it was their wish to honour and protect the volunteers;—to protect them more particularly against that foul insinuation which had been thrown out against them, that they had so little patriotism as to be deterred, by misrepresentations and misconceptions, from performing their duty to their country. If, however, by saving the country, the noble and learned lord meant that there was any dread that but for their existence our country was at present in danger from its internal enemies, he could by no means follow him that length. He was convinced, if there were among ourselves any enemies to the constitution of this country, the occurrences of the three last years must have been more than sufficient to bring them back into the path of loyalty. His lordship then proceeded to shew that the present was not a separate measure, but a part of the general military system which the present government had resolved to adopt, and which the noble and learned lord could hardly have expected to see comprehended in one bill. First they had got rid of one

measure which was universally acknowledged to be burdensome and unjust in itself, which had been unproductive, and at the same time operated as a drawback on the ordinary recruiting. They then proceeded to introduce a limited endurance of service, with the double view of increasing the number, and of introducing into the army a new order superior in zeal and energy, as superior in knowledge. The volunteer force still existed, and now the present bill was brought in, for the purpose of forming a force in addition to it, by which, in time, the whole country should be instructed in the use of arms. He informed the noble earl (Westmorland) that it was the intention of the present government to disperse 200,000 stand of arms among the people of the country; so far were they afraid of this, that they even intended to instruct them how to use them. Neither should they think it necessary to have them deposited in some castle or fortress; but should think, that in enabling every man to become habituated to the use of arms, and the people thus to become an armed people, while they in no wise endangered the peace of the country at home, they rendered it invulnerable against every foreign attack.

Lord Hawkesbury entered into an investigation of the different measures alluded to by the noble lord, and particularly of the great advantages of voluntary services, which he was convinced would be greatly affected by the present measure—a measure which, in his opinion, would be equally expensive, and by no means so efficient as the voluntary force. He should not, however, press the matter to a question.

Earl Westmorland and Lord Grenville mutually explained.

Earl Rosslyn shewed that the volunteer service could not at all be affected by the present measure, which was not a substitute for, but an addition to, the volunteer system. He took a view of the different immunities, such as exemption from ballot for the militia, army of reserve, &c. which had been formerly held out to them, and maintained, that instead of being degraded, as it had been termed by this bill, it also went to encourage the entering into the volunteer corps, by exempting all such from the provisions of the bill. He asked, too, if it could be contended, that the same number of volunteers would continue having nothing but the August establishment, while the contributions were discontinued? He adverted to what had fallen from the learned

learned lord (Eldon) as to the volunteers being the saviours of the constitution, and trusted it could not even be insinuated that such an idea was at all well-founded in the present state of the country.

Lord Eldon, in explanation, declared, that he had never either insinuated or dreamt of such a thing. He had simply alluded to the volunteers at the time of their formation, and had attributed to them, he was convinced correctly, that this country had escaped those destructive and desolating principles by which the liberties of the rest of Europe had been overturned.

The question was then put, the House went into a committee, in which not a single amendment was made, and the bill was reported.

The militia ballot suspension bill also went through a committee, and was reported without any amendment.

The West India intercourse bill was read a second time, and ordered to be committed.

The other bills on the table were forwarded. Adjourned.

HOUSE OF COMMONS.

FRIDAY, JULY 11.

The London dock compensation bill was read a third time and passed.

The Malta trade bill, the sugar bounty bill, the warehousing bill, the French wine bill, and the silk bounty bill, were committed. Report the next day.

The report of the insolvent debtors' bill was ordered to be further considered on Monday.

Lord Primrose moved that the Committee on the joint account between England and Ireland should be allowed to report from time to time. Ordered.

His lordship then brought up a report from the Committee. Ordered to lie on the table and to be printed. He then move for an account of several payments made, between the years 1801 and 1806, on the joint account. Ordered.

Mr. Vansittart moved that the Committee on the Malta bill should be postponed till Monday.

Mr. Baker and Mr. Tyrwhitt Jones adverted to the detriment which the maltsters had suffered by the law, and hoped that the bill would be carried forward as soon as possible.

Mr.

Mr. Vansittart said, that the maltsters could not have suffered much inconvenience, as they enjoyed the advantages proposed to be given them by this bill under an order of the treasury.

Mr. Yorke asked on what principle such an order had been issued contrary to law?

Mr. Vansittart defended it on the ground of its being a common practice.

Mr. Plomer begged of the honourable gentleman to consider that general warrants had once been issued, and that the plea for them was, that it had been a common practice. It was a practice, however, which was found to be illegal, and therefore put an end to, and he hoped that this practice too would not much longer be sanctioned.

After a few words from Sir Charles Price, the motion was agreed to.

The Grenada loan bill was brought in and read a first time. On the motion for the second reading,

Mr. Baker stated some doubts as to the propriety of such a bill.

Mr. Macdowal said that its object was to enable him to dispose of some property, in order to pay the debt to the crown. This he would have done five years ago if he had not been impeded in his exertions by the late law officers of the crown. He had for some time 180,000*l.* of capital floating in Scotland with this view. He trusted that when the documents and the whole case were before the House, his honour would be found to be unstained. It would be found that he had been very hardly dealt by; but he was already acquitted by his own feelings of any improper conduct.

Mr. R. Dundas did not wish to oppose the bill; but said that the late law officers of the crown in England and Scotland ought not to be accused till the whole case was before the House.

After a few words from Mr. Baker, the Attorney General, and Mr. Johnstone, the bill was ordered to be read a second time the next day.

Mr. Bankes stated from the bar, that in answer to a request of the Commons, the Lords had agreed to a conference on Tuesday next at five o'clock.

Mr. Hobhouse reported that he had carried to the Lords the message respecting Sir John Gordon's divorce bill; and had received the said bill from the Lords.

On

On the motion for the third reading of the grain bill,

Mr. Foster opposed the bill on the grounds that as it stood at present, he saw no advantage that could arise from it, and it might be the cause of much harm.

Sir John Newport stated, that it was a measure of the same nature with that which had taken effect with regard to North Britain, and no inconvenience had arisen from that measure. This was the beginning of those measures for extending the benefits of the union which had not as yet been done.

The bill was then read a third time and passed.

The Irish quit rents bill was read a third time, and passed.

ARCOT CREDITORS.

Mr. Hobhouse moved the order of the day for the third reading of the Arcot creditors' bill.

Mr. Ryder moved, by way of amendment, that the words "appointing the commissioners to report to the House the grounds of their decision on every claim that was brought before them," be erased. He contended, that this clause made the House a court of appeal, and would prevent the decision of the commissioners from being final. Besides, they might sometimes find themselves obliged to decide in opposition to the evidence that was laid before them, and when this evidence was submitted to the House, it would not furnish them with the grounds of the commissioners' decision. He conceived the commissioners to be the ultimate resort in this case, since they were a sort of arbitrators between the East-India Company and the creditors of the nabob.

Lord H. Petty stated the origin of the clause now objected to, which had been proposed as an addition to another which he had introduced, for the purpose of obliging commissioners to report their decisions to the House from time to time. However, he saw no material objection to the amendment now proposed; but he should wish to hear the opinions of his legal friends on the subject.

Mr. Windham supported the clause as it now stood; and observed that it did not bind the House to investigate the grounds on which the commissioners decided in any instance, but merely went to enable parliament to review their proceedings whenever it might judge proper.

Mr. Perceval supported the amendment, and contended,

that the clause introduced by the noble Lord was quite sufficient, as it would shew that the commissioners did not sleep over their duty, and gave a proper degree of publicity to their transactions.

Mr. Francis contended, that the public were the party most interested in the whole business, since so large a part of the revenues of India, to which the country must look for the payment of its just demands on the East India Company, would be consumed in liquidating the debts. He therefore objected to the whole measure from first to last, and maintained, that the disposal of so large a sum as the debts were said to amount to, should have been given to parliamentary and not to private commissioners. He wished to press on the House, how dangerous it was to devolve a business so important on private individuals.

The *Attorney General* said, that were he one of the commission, he should wish that the grounds of their decision should also be laid before the House. The debts were a public subject; they were to be paid out of revenues in which the country had an immediate interest. If any suspicion of fraudulent dealing should arise, it was proper that Parliament should not only know the decisions, but the grounds also on which they were founded.

Mr. Rose supported the amendment.

Mr. Sheridan said, that every word he had heard convinced him that it was an unfit commission. It was in reality the public money by which the debts were to be liquidated; for how was the public to be paid by the East India Company, if their revenues were swallowed up by the payment of these debts? Who were the fit persons for deciding on these debts? Were they not commissioners so constituted as that their decision should be final? Was it not monstrous that commissioners should be appointed whose decisions should be subject to appeal? This House was the most fit place for revising them, and why not at once appoint parliamentary commissioners, whose decisions should be final? What was known already with regard to India debts in 1704, justified him in making a supposition, that some collusion might take place between the creditors and the Company, by which the public might be defrauded.

Lord Castlereagh was glad to see the right honourable gentleman in his place, but as he had not attended before, he had misconceived the object of the noble Lord (Petty)

in this case, which was not the production of the whole evidence; but merely the general grounds of the decisions, not with a view to revise them, but to see that the commissioners did their duty.

Mr. Sheridan replied, that the noble Lord furnished a proof, that though a person attended to any business, he did not therefore necessarily understand it (*a laugh*). It was impossible that the grounds could be laid before the House for any purpose but revision, if necessary.

Lord Henry Petty and Mr. Grant, made each a few observations, after which the bill was read a third time.

Mr. Johnstone proposed a clause to prevent any of the commissioners, not at present members of Parliament, from becoming so. After a few observations from Lord Henry Petty, the clause was withdrawn. The bill was then passed.

TREASURERSHIP OF THE NAVY REGULATION BILL.

Mr. *Whitbread* rose, pursuant to the notice which he had given on a former occasion, not with a view, in the present state of the House, and at this late period of the session, to move for leave to bring in a bill for the better regulation of the treasurership of the navy; but for the purpose of moving that, early in the next session, the House should take into consideration the act of the 25th of the King, entitled, "An Act for the better regulation of the Office of Treasurer of the Navy." Every member who now heard him, he apprehended, had read with attention the report made by the committee appointed to examine the Journals of the House of Lords, relative to the late impeachment; and if they had read it, he trusted that they had taken it into their most serious consideration, as, according to what appeared in those Journals, eleven of the Judges of England had given it as their opinion that the law gave no hold to the public on its officers; that, without violation of the law, such officers might make use of the public money for their own private purposes, if they pleased; and on proof being had of such application, that the officers were not punishable by information or indictment. If that opinion was called for, and if the majority of the Peers upon the opinions of the Judges delivered to the above effect, had pronounced the acquittal in the late impeachment, then it was high time that this should be declared to be law, if it was law; or that if it was not law, it should be declared, that

that it should become so in future. He regretted that at this late period of the session he could not propose, with propriety, to bring in a bill on that subject, but he hoped that early next session this would be done. As to the act of the 25th of the King, it did now appear, from the opinions of the eleven Judges, that the public had, from the moment it was passed, up to the present time, been under a most gross delusion with respect to its provisions, and that large sums of public money, as had lately happened, up the extent of 150,000*l.* might be drawn from the Bank, and deposited in any place whatever, by the treasurer: and that not only he, but one deputed by him might thus dispose of money, and lodge it in any place, even beyond the controul of the treasurer; he found not only that the assigned balances might be disposed of in this manner, but also when another object was in view, and when it appeared that the motive of the treasurer of the navy, or his deputy, was to make use of the public money for their own profit and advantage, we still found, from these decisions, that such practices were not cognizable by law, and that the parties were punishable on information or indictment. He wished that he could, even in this session, have brought forward a bill for the regulation of the office of treasurer of the navy, and the greater security of the public. As that, however, could not conveniently be done, he trusted that early next session his right honourable friend near him (Mr. Sheridan) would introduce such a bill, or if he did not, he himself would do it; and he sincerely hoped that his right honourable friend would succeed better in a measure for the regulation of his own office than his noble predecessor had done. The great difficulty he should feel, he protested, would be to find words more strong than those which had been employed in the act of the 25th. He hoped, however, that his right honourable friend would make the words so strong and clear, the sense so conspicuous and defined, and the enactment so plain and obvious, that it would be impossible that the provisions of his bill could be misconceived, or mistaken. He concluded by moving that this House do, early in the next session, take into consideration the act of the 25th of George III. chap. 31, relative to the regulation of the office of treasurer of the navy. On the suggestion of the Speaker, he also moved that the report of the committee appointed to inspect the Lords' Journals should be entered as read.

Mr.

Mr. Leicester rose, not with any intention to object to the motion of the honourable gentleman, but because some things which he said appeared to him so extraordinary, that he could not pass them over without observation. He seemed to have supposed that the learned Judges had determined that embezzling the public money was no offence cognizable by law. The Judges had determined no such thing —[Here Mr. Whitbread, by permission of the House, rose, and read the following extract from the Journals of the Lords:

"Whether it was lawful for the treasurer of the navy, before the passing of the act of 25 Geo. III. c. 31, and more especially when, by warrant from his Majesty, his salary as such treasurer as aforesaid was augmented in full satisfaction for all wages, fees, and other profits and emoluments, to apply any sum of money imprested to him for navy services, to any other use whatsoever, public or private, without express authority for so doing; and whether such application by such treasurer would have been a misdemeanor, or punishable by information or indictment?"

The Lord Chief Justice of the Court of Common Pleas delivered the unanimous opinion of the Judges upon the said question:

"That it was not lawful for the treasurer of the navy, before the 25 Geo. III. c. 31, although after the warrant stated in the question, to apply any sum of money imprested to him for navy services, or other uses public or private, without express authority for so doing, so as to constitute a misdemeanor, punishable by information or indictment;" and gave his reasons.]

Mr. Leicester, in continuation, observed, that he was perfectly aware of that; but then that was no embezzlement. The opinion only went so far as to say, that a temporary use of the public money by individuals in office, was not an offence cognizable by law; and every one knew, who was at all acquainted with the course of business for these last thirty years, that this had never been considered as a public offence. Where was the difference between the case of the late Lord Holland and such individuals; the honourable gentleman had said, that the judges had given it as their opinion, that money might by law be drawn from the Bank, and deposited elsewhere, for private purposes. They had said no such thing. They had

had only said, that it was not illegal to draw money from the Bank *bona fide* for naval service. Whether afterwards the trust should be abused, was a quite different thing, and one which they considered themselves as having nothing to do with. The gentlemen on the other side, therefore, seemed to have misconceived them, and to blend the liberty of taking out the money with the emoluments made by Trotter.

Mr. Whitbread hoped that he would be indulged with the liberty of saying a few words in reply. He had never mentioned the word *embezzlement* at all. The learned gentleman meant, he supposed, by embezzling, the making use of the public money and not bringing it forward at the making up of the accounts. He did not say any thing about that, nor had he any such thing in contemplation. What he meant was the applying of the public money to private purposes for a time, and this he and his friends had contended was an offence punishable at common law. As to the construction of the act of the 25th of the King, if the treasurer or his deputy might take out the money from the Bank for naval purposes, and afterwards apply it to purposes of private emolument, then he repeated, that the public had, up to this time, been labouring under a most gross delusion, for it was utterly impossible to suppose that the legislature had any other intention than that the money drawn from the Bank should be immediately applied to naval purposes, and to no other whatever. He again repeated that his great difficulty would be to find words more binding upon the treasurer not to draw out the money for any other than naval purposes, and not to apply it to any other purpose when drawn. It was, that we blended the liberty allowed, with the use made of the money by Trotter. We did no such thing; but it was the learned gentleman who blended the taking out of the money with the emoluments made by Trotter. Could his right honourable friend near him, then, allow Mr. Scott to take out the money, to deposit it at Couts's and make what use of it he pleased? If such a thing was done, he contended that it would be still impossible to permit such a thing to pass without, at least, an attempt to punish it. He was not, at present, enquiring what was the law, in opposition to the Judges? but still they were fallible men, and liable to error, even in construing the law. This House, and the other, might act in opposition to their opinions,

opinions, as they were not bound by them, unless they appeared well founded; and it was no longer ago than the preceding day, that the House of Lords decided in direct opposition to the opinions of the Judges, after they had been solemnly called upon to deliver them. As the Judges, then, were not infallible, it became the legislature to consider, whether what they had delivered on this point was law or not. If it was law, then the law ought to be declared—if it was not law, then it was high time to have a new law, to render the point clear and certain.

Mr. R. Dundas admitted, that, according to the opinion of most persons, some new regulations were necessary with regard to the law upon this subject. But that the purpose for which he now rose, was to advert to something which had fallen from the honourable mover. That honourable gentleman professed to think that the House of Lords grounded its judgment upon that opinion of the Judges to which he appeared to object. But he could not allow that that honourable gentleman, or any other person, was competent to say upon what the Lords were induced to decide in the case alluded to; neither was the honourable gentleman correct in stating that that House should infer, from the admissions of Lord Melville, that the noble Lord connived at Mr. Trotter's application of the public money to his own profit.

Mr. Sheridan thought, that, after the opinion of the Judges, it was absolutely necessary that the law upon this subject should be satisfactorily settled. But, notwithstanding these opinions, he should take care that, while he remained in his present office, the affairs of it should not be managed in any respect contrary to what the law prescribed; and his conception of that law was this, beyond all doubt, that neither pay-master, nor any other person, should take naval money from the bank, unless it should be at the moment wanted for *bona fide* naval purposes. Indeed, according to the present arrangement, his pay-master had no concern with a single guinea of the public money; and it was somewhat curious that this was the arrangement which Trotter suggested. Accounts are now opened at the bank in the name of each of the sub-accountants, to which money was occasionally transferred by order of the pay-master. Such was his impression as to the nature of this plan, that he had recommended it to

his

his honourable friend and others to introduce a bill at once to render it the law in future; but they, not conceiving several other provisions necessary to the safe custody of the public money, thought proper rather to postpone bringing forward any bill until next session. The pay-master, however, had now no connection with any of the public money; and he would hold him inimical if he should attempt to draw a guinea from the bank for any purpose whatever. Such was the practice which the right honourable gentleman declared his intention to maintain, while he had the honour to hold the office of treasurer of the navy, at least until it was otherwise enacted by law.

Mr. Perceval threw out for the consideration of gentlemen who proposed to bring in a bill upon this subject, whether, if the arrangement were enacted, such as the right honourable gentleman had just described, the sub-accountants might not be open to the same objections which were applied to the pay-master: that is, whether those sub-accountants might not be open to a similar abuse of the public money.

Mr. Whitbread thought such a consequence improbable. It was to be recollected that the sub-accountants on the trial refused to withdraw the public money from the bank at the particular instance of Trotter, and by no means in consequence of their own wish, for it appeared that inconveniences resulted to them from the transfer.

Mr. Sheridan could not admit that the case, with regard to the sub-accountants could ever br subject to the same objections as those which applied to the pay-master. It was obvious that they could not be so to the same extent. Indeed, he thought it quite practicable so to watch the sub-accountants—so to establish a check between the bank directors and the navy pay-office, as to detect any drawing of money not necessary for, and immediately applied to, a naval purpose; and, should such a thing appear on the part of any sub-accountant, he had no hesitation in saying that he should feel it his duty on the instant to dismiss him.

Mr. Perceval explained.

Mr. Fuller adverting to a notice of a motion which he had given some time since, relative to the expences incurred by Lord Melville during his late trial, stated, that in consequence of the declaration of the noble lord's son, that no delay had occurred in preparing for the trial, or in its subsequent

subsequent conduct no more expence had occurred to the noble lord than if the trial had taken place in the chamber of Parliament, he was induced to wave his intended motion.

Mr. R. Dundas asked whether it was the intention of the noble lord on the treasury bench to bring forward the proposition respecting the northern fisheries, which he had mentioned in the early part of the session?

Lord Temple answered, that the measure referred to required more consideration than he had been yet able to give it, and therefore he did not mean to bring it forward in the course of the present session.

Mr. Huskisson yielding to the pressure of the important business, which stood for the present evening, postponed till Monday, his proposed resolutions upon the subject of finance.

Lord H. Petty postponed till next session the motion of which he had given notice, for a certain compensation to the commissioners of the land tax. From the nature of that commission he thought it would be more satisfactory to Parliament, the country, and the noble lord concerned, to have the motion he meant to submit, preceded by a committee to inquire into, and report, the grounds upon which the proposed compensation should rest.

THE ROYAL FAMILY.

Upon the motion for the second reading of the junior princes' provision bill, &c.

Colonel Wood repeated his objections to this measure; the subject of which ought, in his opinion, to have been previously submitted to the consideration of a committee, consisting of independent members, free from party feelings, to report their judgment thereon to the House. Before such a committee the means of each of the illustrious persons alluded to in this bill might be inquired into, and the salary might be distributed according to the circumstances of each. There were some of them to whom, in fact, no increase was at all necessary, for they were unequally provided; each of them having a snug civil or military appointment, with the exception of the Dukes of Clarence and Sussex. The honourable gentleman exhorted ministers to attend to economy, which for the last twenty years they professed so much to esteem, and took occasion to deprecate the idea of patching up any peace which

should not be productive of complete security; for without such security it were better to have eternal war.

Mr. W. Smith thought the statement of the efficient revenues of the different princes ought to have been laid on the table, as he recommended on a former evening. Had that been done, the House would have seen which had the greater occasion for an increased allowance, and might distribute accordingly, and the public would have been better satisfied with the proceeding. The Duke of York having declined to put in any demand upon this occasion, did, the right honourable member was ready to say, reflect great honour upon that royal person. But then it was to be considered, that his royal highness's revenue was very much indeed beyond that of any of the other princes. For his royal highness had an allowance since his marriage of 26,000*l.* a-year, independently of the revenue and emoluments arising from his regiment, and his office of commander in chief.

Colonel Wood in explanation disclaimed the intention of censuring in the slightest degree the conduct of Lord Henry Petty, whose character and gentleman-like deportment he highly esteemed.

Mr. Rose supported the bill.

Lord Henry Petty, observed that the simple question for consideration was this, whether they would rigidly apply that principle of economy to the royal persons to whom this bill referred, while they had relaxed in favour of the minor clerks in office, and upon nearly the same grounds as those which prompted the introduction of this bill? That the salaries of the one were not proposed to be augmented in the same proportion as those of the former, he was prepared to state. Nothing more was offered to the House than to make an adequate provision for those illustrious persons, and he could hardly think there was a man in that House, or the country, who would hesitate to assent to that proposition, when assured that their present allowance was quite inadequate.

The bill was read a second time, and after a few words from Lord H. Petty, Mr. W. Smith, and Mr. Rose, ordered to be committed the next day.

THANKS TO THE VOLUNTEERS.

Sir Henry Mildmay rose and said, that he should have been much better satisfied, if the resolution of which he had

had given notice had originated with his Majesty's ministers, because such a proceeding would have been more conformable to the wishes and feelings of the country at large; and he thought more appropriate to the merits of those who were the objects of it, if it had come forward with all the weight and authority of the executive government. It would have become ministers to have been the foremost to shew every mark of public gratitude to that numerous and respectable body, who had not only exhibited so much zeal and alacrity in coming forward, but, during more than three years, had continued with unexampled assiduity and perseverance to contribute their services to the defence of the country; and the more did he think it the duty of government to have done so, from the general opinion which prevailed, that ministers were unfavourable to the volunteer system. But the regulations which they had adopted were calculated to check their zeal and impair their discipline, if they did not mean that the whole of that force should moulder away; but as no such step had been adopted by government, for satisfying the feelings of the volunteers, by those whose language and conduct had given them so much cause of complaint, he thought it his duty to call on Parliament to express what were their sentiments on the subject, to avow their acknowledgments for the past, and their anxious wish for a continuance of those exertions to which the country had already been indebted for having preserved it from all miseries and calamities of invasion; he would not suffer the present session to pass without doing so, lest, in another, we might have no volunteers left to thank. In laying the grounds of his resolution, it would be necessary to advert to the state of the country when the volunteers were incorporated, and their conduct since that period. They were established at the commencement of the war, at a period of immediate and imminent danger, when our military establishments had been reduced to a low scale, and we had to contend with an enemy who had a numerous army on foot, that threatened us with immediate invasion. The government then thought it necessary, very wisely, to call on a considerable proportion of the population to arm in defence of their country. The zeal and alacrity with which persons of all ranks, ages and descriptions obeyed that summons could not too often be repeated, or too loudly applauded; that zeal, so far from abating, had encreased as the volunteers

improved in discipline. Though no hostile army had actually reached our coasts, several alarms had taken place in different parts of the kingdom, and the promptitude with which the volunteers had flocked to the spot where it arose, was a proof of what would have been their conduct if those alarms had been real. A false alarm had been given in the neighbourhood of Sheffield, and it appeared by the return of the commanding officer of the volunteers there, that not only every individual who actually belonged to the corps, but every man who had at any time been a member of it and had retired, flocked to the volunteer standard, and they actually marched many miles in the expectation of meeting an enemy. Circumstances of a similar nature had occurred in Scotland, and the same zeal and intrepidity had been exhibited by the Scotch volunteers; they had, in one instance, marched three hundred miles in the depth of winter, in frost and snow; and such was the opinion which a noble and gallant lord, who commanded in that part of the united kingdom, entertained of their spirit and of their discipline, that he had declared, in his place in the House of Lords, that he would willingly encounter any number of the enemy who might land without the assistance of a single regular battalion. With such instances before their eyes, no one could doubt that the zeal and alacrity of the volunteers had in no degree abated; what they wanted in experience they had made up in diligence, assiduity, and perseverance; and there are many corps of them as forward in discipline, and as ready and accurate in military evolutions as regiments of the militia, or even some of the new raised regiments of regulars. The evidence of the perfection which they had attained would be seen in the report of the inspecting field-officers, which had been laid before Parliament; the persons who had made these reports, were men of the highest character and military science, and who would not for a moment be supposed to have falsified the truth, to flatter the volunteers, or condescended to deceive government on so important a point. Did they agree with those who represented the volunteers as scarecrows, who stigmatized them as the depositories of panic, who stated them as calculated only to carry dismay and confusion among regular troops, and formidable only to their friends? No such thing; the report of these officers is directly the reverse; they describe many corps of volunteers

as

as fit to act with any regiments of the line, many more as fit for actual service, and the remainder as gradually improving in discipline. Among the number of more than 300,000 men, there must be some, either from accident, from want of opportunity (from any thing but want of zeal), who have not made so great a proficiency as others; but in all the mass of zeal, spirit, and perseverance, which is contained in these reports, there are few, indeed, like those under the command of the right honourable secretary who are too bad to be reported on at all. If government had abolished these inspecting field officers from motives of public economy, he certainly applauded the principle, but he lamented the application of it. The number might perhaps be reduced with advantage, but he was confident, that days of inspection contributed very essentially to excite the emulation and continue the zeal of the volunteers. They did not consider them, as had been said, as a hardship, but always, as far as he had seen, looked forward with great anxiety and eagerness to the reports of those officers to whose inspection they were subjected; and as to their having become remiss in their attendance on such occasions, he must beg to doubt the fact; he had never found it; those under his own command had invariably mustered four-fifths of the effective, on days of inspection, ever since the volunteers had been formed, and he knew the same of others. He understood that the present plan went to place the volunteers under the command of the general of the district, who was to inspect them three times a-year. For this he thought a fresh act of Parliament necessary, as the volunteers were at present subject only to the lord lieutenant and inspecting field officer, and it would place a vast additional trouble and responsibility on general officers, and he doubted whether it was possible for men to accomplish it, at least to any good purpose. If the generals of districts who were cavalry officers were to inspect the infantry, and infantry officers the cavalry, he very much doubted whether great confidence could be placed in such reports. There was also another part of the new system to which he had even stronger objections, namely, the abolition of permanent duty. Permanent duty was the vital essence of the volunteers, the mainspring of their discipline; it would be invariably found, that those who had been most out on permanent duty were in the highest state of discipline, and those who had been least

least out were the most deficient. To bring the volunteers to that state of perfection of which they were capable, and to which they were fast approaching, permanent duty should be rigidly enforced. He could hardly help thinking that destroying permanent duty was one of the indirect means by which it was intended to disband the volunteers. The effect of many of the late regulations went to damp their zeal, to destroy their emulation, and to impair their discipline; and, coupled with the language of disapprobation and the expressions of derision which had been used towards them, could not fail to excite disappointment and disgust amongst them, and become fatal to the system. If ministers disapproved of the volunteers, and thought that they could direct the physical strength of the country into a channel more conducive to the public interests, they were quite in the right to abolish that system. It would be more fair and manly, if such be their sentiments, to say at once to the volunteers, "We thank you for your zeal and perseverance; you have done the state some service, and they know it, but we have no farther occasion to make use of you." But, if they really mean, as they sometimes state, to continue the volunteers, they are singularly unfortunate in the means they resort to. It is not to be effected by weakening their emulation and impairing their discipline; let the field officers and drill serjeants be continued; enforce permanent duty; retract some of the late steps which have been taken to make some few alterations in the former system, and the country will, in a very short time, have a force on which it may depend for all purposes of internal defence, which would let loose the regular army for any foreign service, which would be ready at a moment's warning if required; and, full of zeal, spirit, and discipline, would be sufficient to repel the attack of an enemy, or any other home service which the immediate exigence might call for, and of far more value to the country than all the reluctant conscripts which were to be raised under the late bill. The resolution which he meant to submit was not unprecedented, an example had been afforded on the same subject when first the volunteers were raised. A motion was then made, and passed unanimously, to thank them for the promptitude and zeal with which they had come forward. It was brought forward by a gentleman, now a member of his Majesty's government, and accompanied by a speech which he well recollected

lected, to have done much towards animating the spirit of the volunteers. That vote was grounded on the alacrity and zeal with which the volunteers had embodied themselves, as affording a pledge that they would not relax their exertions till they had rendered themselves fully equal to the defence of the country. They had now redeemed every pledge, they had fulfilled every promise; they had continued for more than three years struggling with all the awkward difficulties which they had to overcome before they could attain the state in which they are. They had not only given up time and trouble to the service of the country, but had cheerfully incurred great expences; they had shewn zeal, alacrity, and perseverance, beyond all example, and they had the satisfaction to think, that they had been the means of saving the country from invasion. What had they received for all this exertion but sarcasms and reproaches from the present government; but it was to Parliament, and not to the right honourable secretary, that men asked for approbation as the reward of their services, and to them for their opinion, whether the continuance of their services would be advantageous and desirable to the country. He therefrom moved to resolve, "That the House doth thankfully acknowledge and highly approve of the services of the different corps of yeomanry and volunteers of the united kingdom, and doth think it necessary to record its decided opinion, that the due encouragement of the zeal and patriotism which the yeomanry and volunteers have so eminently displayed in the maintenance of their establishment, and the preservation of their discipline, would contribute, in an essential degree, to the defence and internal security of the country."

Mr. Dent seconded the motion. After a general panegyric of the volunteers, he took notice of several expressions which were made in contempt and derision of them. He particularly dwelt on what had been advanced by an hon. member (Colonel Craufurd), respecting the trade of Colonel Birch, as if, because he made pies and jellies, he was on that account to be excluded from the service of his country. After repeating many of the expressions which had at different times been imputed to Mr. Windham, he concluded by stating his opinion, that ministers dare not move the previous question upon this motion of thanks to the volunteers; for that, although minorities in that House must

must yield to majorities, yet it was not always to be expected that the public should remain quiet.

Sir R. Milbanke was anxious to bear testimony to the spirit and zeal he had always found among the volunteers, particularly in the alarm that prevailed in Yorkshire. If it had been a simple vote of thanks he should have agreed to it; but in the manner in which the resolution was worded, he saw many things that he could not agree to.

General Phipps said that he was one of those officers who had reported the volunteers as fit to serve with regular troops, although he would not say altogether equal to regular troops. As to the London volunteers, many of them were fully equal to several regiments of the militia. He still considered, that the London volunteers were, in general, fit to serve with troops of the line, and he had a very high opinion of them. As to the country volunteers, he was not so well acquainted with them, and could not speak so much from his own knowledge. When he was commander of the garrison of Hull, he very much approved of the state of the Hull volunteers, and the pains which their commander (the mayor) had taken. From his general experience with respect to volunteer corps, he must say, that he considered, that depriving them of their inspecting field-officers and drill serjeants would be a very material injury to them.

Mr. Secretary Windham stated, that the drill serjeants were not to be taken from the volunteers, but that the allowance to them, which was now considered extravagant, would be reduced to what was reasonable. Although the volunteers might be equal to some of the militia regiments in expertness and precision, yet he was still of opinion that the regular regiments had a vast advantage over both, in that mechanical sort of courage that proceeded from the discipline of martial law, and the traditional character of the regiment. As to those expressions that were so often imputed to him as hostile to the volunteers, he really wondered that gentlemen were not ashamed of repeating them so often. What fairness was there in taking detached sentences and words without the context? It was something like Lord Peter, in the Tale of a Tub; he could pick out what meaning he pleased from the will, if not in sentences, in words, or at least in letters. As to the permanent duty among the volunteers, gentlemen did not appear aware of the expence of it: it cost near half a million annually;

and if a smaller sum would produce greater effects, supplied in another manner, it was the duty of ministers to discontinue it. The resolution which was proposed to the House was drawn up with so much ambiguity; and that, which every body must allow, was so blended with what he must deny, that he could not agree to its adoption. As to the first part, he should readily agree that he highly approved of the services of the volunteers; he also highly approved of the services of the army, of the navy, and of the militia; and yet, if any one proposed a vote of thanks to any of those branches of public service, it would be at least incumbent on the mover to shew some reasons for the motion; and, on the other hand, it would be absurd for the House now to pass a resolution in favour of permanent duty among the volunteers, when they had already rejected that principle. As the hon. gentleman had, however, said it would be so daring a thing to move the previous question, he should leave that task to somebody else.

Mr. Fuller recommended it to the right hon. secretary to make up his breach with the volunteers by assenting to this motion.

Mr. Windham explained.

Lord Ossulstone moved the previous question.

Mr. Bankes approved of the first part of the motion, but rather disapproved of the other, as it seemed, by implication, to convey a censure upon the conduct of the majority of that House who had voted for certain measures relative to the volunteers in the course of the present session. The honourable member, therefore, recommended that a more acceptable motion should be proposed.

Sir Robert Williams was surprised that any opposition was given to a motion, the design of which was to tender thanks to a body of men so meritorious.

Mr. Wilberforce thought that the only way in which any return could be made to the volunteers, was by such a mark of Parliamentary approbation. If any particular expressions were exceptionable, he should wish that the honourable mover would accede to some alteration, but none which would diminish the force of any language indicative of the favourable sentiments that House entertained of the conduct of the volunteers.

General Tarleton contemplated the volunteers with respect. Twenty-five thousand were ready to defend the metropolis of the empire, and he thought, with no troops

whether of the militia or the regulars, would the capital be in a better state of security than when defended by her own citizens. Three thousand volunteers were attached to the district he commanded; on a sudden, without previous notice, he ordered them from Bristol to Bath, and from Bath to Bristol; every obstruction was given them purposely; near Bath they were four hours on the ground, and when they had performed this journey of 32 miles in one day, not a man was missing on their return. A more narrow inspection would shew the volunteers deserved the character they had acquired. To the body of which he alluded, belonged officers of distinction, who had served with honour in various parts of the world (Colonels Molyneux, Cooke, and Gore). It was said the Scotch volunteers were preferable to the English: he knew such a representation proceeded from the great gun of the cabinet, but he believed it was incorrect. The hon. General entered into a florid description of the state of the army, militia, and volunteers, expressing at the same time his intention to support the motion, and his concern that such a period was chosen for change and innovation. He concluded with reciting the dying exclamation of the late minister, "O my country!" which he attributed to his concern that the government should fall into the hands into which it had devolved.

Mr. Sheridan—Although I could not have remained wholly silent during this debate, yet I wished to have heard the sentiments of others before I delivered my opinion; but what has fallen from two hon. gentlemen who have recently spoken, has induced me to abandon my original design, and to avail myself of this opportunity to solicit the attention of the House. I am desirous to abstain from all party allusions, and never wish to censure those who, from early attachment, and long habit, feel a peculiar ardour of affection for the late right hon. gentleman (Mr. Pitt); but whether the right hon. general belongs to that number, I will not pretend to determine. I think that gallant officer was not perfectly correct, when he ascribed the impassioned exclamation of the late minister to his regret that the affairs of the empire should be consigned to the present servants of the Crown: that eminent person, no doubt, fully expected that his own companions in office would remain in power, and under this painful reflection, his anxiety for his country is fully explained; for what would have

have become of it in such hands is sufficiently obvious. I have not yet expressed my views of this military subject; but it may easily be expected of me to declare, that the defence of the kingdom ought not to be entrusted exclusively to a regular army, and history has instructed us that there never was a country which preserved its liberties that exposed itself to this danger; nor, Sir, would I, on any occasion, give my vote to deduct one man from the great constitutional force—the militia. Acting under the influence of similar principles, I have always resisted the compulsory bills, stating it to be the undoubted prerogative of his Majesty to select any indi iduals from the great body of the community, to place them in the ranks of the regular army, and to send them to any part of the kingdom. It is true the Judges and some public officers were excepted, but the whole of such a bill should become a dead letter. It is not necessary that I should now state my opinion on that subject; but I wish distinctly to be understood, that with regard to the volunteers I never shall vary my sentiments. I did before move the thanks of the House to that meritorious body, and in so doing, I gave them a pledge of the spirit in which I would support their interest, character, and dignity. If, Sir, they deserved this mark of public feeling, merely for the promptitude with which they stept forward for the defence of the state, how much higher are their claims to merit, when they have done that service which they then only intimated a disposition to perform! With respect to the drill serjeants, and some other minor matters of regulation, it may be eligible to leave these in the care to which such subjects are officially committed. But I think that the reports of the military inspectors have been treated with a degree of levity which is neither candid or decent. Are we to say, that the general officers are chargeable with misrepresentation, in order to deceive government, to lull ministers into a consciousness of security which is fallacious; or are we to presume that, as honourable men, as gentlemen, and officers, they do render the accounts now upon your table? If these be accurate, ought the volunteers to be undervalued? Sir, it is a fact most notorious, that nothing made so strong an impression on the French government during their hostile designs upon this country, as the energy manifested by the volunteers: the effect was equally felt by Buonaparte and his minister Talleyrand;

they saw with mortification, that the nation would be indebted for its independence to its own valour. The people of England did not prostrate themselves and petition the sovereign, 'O King, hire us an army, and we shall be protected;' but they took the weapon into their own hands, to wield it in their own cause. I fairly say, that as the motion is now worded, I cannot vote for it. I shall therefore, before I sit down, submit to the house a middle proposition, not liable to the same objections with the original proposition. What were the motives of the hon. gentleman in the form in which they have shaped this motion, I would not prejudge; but they may very correctly be ascertained by the spirit in which they receive the variation I shall suggest. The passage to which I object is retrospective; the language is, 'it is necessary now to declare.' Why is it 'necessary now,' unless something has been done indicative of a different temper to that which the motion is intended to exhibit? It is admitted on all sides, that if my right honourable friend (Mr. Windham), have intimated any thing at all injurious to the volunteers, it is confined to mere expressions. In his acts *(A cry of hear, hear! occasioned some pause)*: in his acts, I repeat, it is admitted on all sides by those who have spoken (and those who only tell me their sentiments by this sort of clamour it is not possible I should understand), he has done nothing which can justly be deemed prejudicial. But has no dexterity been employed to pervert his meaning? Have no artifices been resorted to, to proclaim what gentlemen on the other side would effect to suppress and to conceal? Sir, I will frankly confess, that formerly I have had differences with my right hon. friend on this subject. He, perhaps, in the heat of debate, and in the ebulition of wit, used stronger terms than his deliberate judgment would have employed; and possibly, having altered his situation he is not disposed to shew, that this change has governed his opinions. I have these before me in review, when I observe that no enmity has been excited between the regulars and the volunteers, by the rank the latter have acquired; as far as my experience extends, they have treated each other with decorum and respect: if any superiority may be claimed by the officers of the line, the same sort of precedence may be demanded by the privates of the volunteers, so that there is a kind of balance which precludes discontent. The motion I should wish

wish now to substitute, would be similar to another to which I have already referred: 'That the thanks of this House be given to the several corps of yeomanry and volunteers, from the promptitude and zeal with which they have stood forward for the defence of the country in the moment of public danger.' This motion was acceded to without a dissentient voice; and I am not aware how those who concurred in that proposition, can consistently, resist that which I shall presently recommend. It has been said, that rumours are abroad that the government designs to discourage the volunteers. These vague reports are, however, met by a distinct avowal by my right hon. friend, that the measure to which he has resorted will increase and cannot diminish their numbers. Whether the training bill is calculated to have this beneficial effect, it is not my present business to inquire. But, be they just or incorrect, rumours have prevailed, and an idea has gone forth, that administration is unfriendly to the volunteer system; and no more successful means can be employed to prevent any misconstruction with regard to the intentions of ministers and Parliament, than a vote of thanks, couched in terms expressive of the sense entertained of the important services of the volunteers. Again they say, why do you not thank the navy and army as well as the volunteers? Sir, the army and navy cannot be insensible of the estimation in which the are held by this House, and by the country in general; and they are sufficiently and properly convinced of their own importance: they know we cannot dispense with the protection they afford. The volunteers are not so firmly persuaded, that they receive the applause they deserve, and perhaps they feel too diffident an opinion of their own utility. Besides, the army and navy cannot disband themselves at pleasure; the volunteers may, from some real or supposed provocation, and this is the serious evil I am most solicitous to avoid; by the vote I have proposed, all misunderstanding will be prevented. From these considerations I am very desirous that the hon. member should withdraw his motion. I think he must see that the effect of it, in its present shape, must be to attach a stigma on ministers; and, what is yet more objectionable, on the House itself, for the legislative regulations it has already adopted, applicable to the military system. If the intention be purely,

purely, simply, and honestly to impart to the volunteers a conviction of the favourable sentiments of this House towards them, let them present the motion in a point of view which will induce this side of the House to concur with them; if under this ostensible design they have other concealed motives, it will be in vain to expect this uniformity. So little do I disapprove of the general character of the motion, that I should have been happy to have seen it introduced as a preamble to one of the bills of military regulation, brought in by my honourable friend (Mr. Windham). Perhaps the style adopted when the thanks of the House were voted to Sir Charles Gray and Sir John Jervis, on the 20th May, 1794, would not be objectionable, "This House continues to retain a cordial sense of the zeal and spirit of the yeomanry and volunteers." Whatever may be the result of the proceeding of this night, I will confidently assert, that in any former period in the history of this country, there never was a body of men who deserved more the gratitude of the nation, who merited more highly its love, respect, and veneration, and nothing can be more becoming the House of Commons, than by a solemn act to record this effusion of public sentiment.

Mr. Perceval objected to the form recommended by the right hon. gentleman, because the motion, as he worded it, was not prospective. He said, he wished to preserve the volunteers undiminished, and yet there was no reference to the rumours by which it was apprehended their numbers would be reduced. The hon. gentleman ventured to declare, that he disapproved of the measures of ministers on this subject, and yet it was well known that he had not opposed them in the whole progress of the business. If he could thus compromise his public duty, he should not be surprised, if, on that side the House, his motion was listened to with some jealousy, as calculated to screen his friends, without conducing to any beneficial purpose. In supporting the motion of his honourable friend, he had no particular attachment to the phraseology of that motion, nor any objection to an amendment in any other form of words which the right honourable gentleman might think fit to propose, provided they expressed the spirit of the original motion, and had a view to declare the wish of the House, not only to thank the volunteers for their past services, but that those important services might be continued in future. The right honourable gentleman, however, should rather

have

have called for the concurrence of his friends around him in the amendment he wished to propose, than to the opposite side of the House, who proposed the very motion which the honourable gentleman had approved upon every other ground, except that it was now necessary to express thanks to the volunteers. The right honourable gentleman had been pleased to say, that his right honourable friend had never used any expression intentionally injurious or degrading to the volunteers, but that his words had been misrepresented or exaggerated, with a view to prejudice him in the public opinion. He himself, however, recollected that right honourable gentleman's expression, when a former vote of thanks was proposed to the volunteers; and when he warned the House against premature approbation to that body, whom they had not yet seen acting in a time of general election or general scarcity: and he should be glad to know if such language was not calculated to create a degrading diffidence in their loyalty, and to excite their disgust. With respect to their discipline, which it was an object of so much importance still further to improve, what had the right honourable gentleman done upon that head, to evince his wish of continuing and encouraging the volunteers? Why, he had brought in a bill, in which he had abolished their permanent duty, the best source of their discipline; taken away their inspecting officers, and in effect deprived them of their drill-serjeants, by reducing their pay from 1*s.* 6*d.* to 6*d.* per day, for which sum it was not to be supposed the services of these serjeants could be continued: but in fact, in this instance, a great injury and injustice was offered to these serjeants, who had entered under a compact of permanent pay, and subject to all the severities of martial law: that compact was suddenly broken, while they were still liable to martial law. He must, however, suppose this could not be the intention of the right honourable secretary, but that he must necessarily have in view to give these serjeants the option of discontinuing their services if they chose, after having violated the stipulated terms of their engagements. Mr. Perceval made several other observations on different parts of the new modification of the volunteer system, and concluded by supporting the original motion, although he was desirous of agreeing with any amendment proposed from the other side of the House, that should be adapted so as to effect unanimity.

Mr. Sheridan rose to explain; and complained that he had been misrepresented and very unfairly treated by the right honourable gentleman, who had thought proper to charge him with having neglected his duty, in not attending that House during the discussions which had taken place upon the various parts of his right honourable friend's military plans, to join with those who opposed them; and with compromising that duty, now, by moving an amendment of a suspicious nature. He begged to remind the House, that he had fairly avowed his reasons for absenting himself from the discussions which took place upon the several plans of his right honourable friend; and would tell the right honourable gentleman that he was not to be schooled by him, as to what times he should think proper to attend, or to be absent from that House. He had fairly acknowledged that he was at variance with the opinions of his right honourable friend upon the whole of his military arrangements, but he begged at the same time to observe, that he did not consider those plans merely as belonging to his right honourable friend but as adopted by the whole of his Majesty's cabinet; and whatever might be the expectation of the right honourable and learned gentleman, that he should come down to the House, and join him and his coadjutors, in opposition to his own friends and colleagues, he had only to say, that though he should ever maintain the right and independence of his own opinions, he would not have the arrogance to come down to the House and oppose those opinions against the whole cabinet of those ministers with whom upon most other topics he coincided; and he was sure that that cabinet would never look to him for the subserviency of sacrificing that independence of opinion to any consideration of office, at least if ever they should so expect, they would be disappointed.

Lord Howick said, that though his original intention was to support the previous question, yet, in consequence of the speech of his right honourable friend, he was in some suspence whether he should not change his first opinion, and vote for the amendment he suggested, with a view, if possible, to conciliate the unanimity of the House, so desirable on the present occasion: but from the temper and disposition displayed in the speech of the right honourable and learned gentleman, and the determination evinced by him, notwithstanding his specious professions, to resist all amendments of a conciliatory nature, and to persist in the

the original motion, he was now decided in his first opinion for the previous question; not from any opinion whatever that the volunteers were not entitled to the highest approbation and gratitude of Parliament, and of their country, but that no occasion whatever had occurred since the thanks of Parliament were last voted to them, to render any renewal of that vote at present necessary; and if any member was to propose a similar vote of thanks to the army or the navy, (the merits and importance of whose services could not be denied) without the occurrence of some particular occasion, he should conceive it a violation of his duty not to oppose such a motion by the previous question. He hoped, however, that his right honourable friend, who proposed to mediate in the present case by a conciliatory motion, for the purpose of obtaining unanimity, would take a lesson for the future from the speech of the learned gentleman, that would teach him how little was to be expected from conciliation or compromise in that quarter. He vindicated the conduct of his right honourable friend (Mr. Windham) relative to the volunteers, as well as his plans for the new modification of the services of this corps; but did not mean to follow the example of gentlemen on the opposite side of the House, by going into a general debate upon all the other military topics which had been so repeatedly, and he had almost said vexatiously, discussed in the course of the session. He would just advert, however, to the speech of an honourable General (Tarleton), who had made such a brilliant display of military knowledge, and his surprising detail of the memorable march of eight hundred men from Bath to Bristol, and the astonishing spirit they had displayed under his command, considering the difficulties they had to encounter in the dangers of Bristol market, and the conduct of their baggage through defiles of booths, waggons, and carts, their labours in the manœuvres of the day, and the course of their long march, unbroken by fatigue, and undiminished in their numbers. He was willing to acknowledge the prowess and skill displayed by the honourable general in the feats of that signal day, and he believed it had no parallel in the military annals of this country, save in that of the celebrated march from Brentford to Hounslow, and from Hounslow to Finchley, under the famous Major Sturgeon, when, "with drums beating in the front, dogs barking in the rear, the gallant commander marched with his troops in the

closest order, until an unlucky drove of oxen from Smithfield threw his whole corps into confusion" *(loud laughter)*. His lordship concluded by again professing the highest respect for the volunteers, the most grateful sense of their services to their country, a sense which must be retained by that country and Parliament to the remotest posterity; but as no new occasion called for a repetition of the thanks formerly voted to them, as the whole value of that honour chiefly consisted in its unfrequency, as it would be a departure from the dignity of the House to vote their thanks on every trivial occasion, he should vote for the previous question. But if the happy hour of peace was come, when the services of those corps would cease to be necessary, no man would be more prompt than himself to propose, second, or support a vote of thanks to them.

Mr. Canning supported the original motion, and agreed with his right honourable friend (Mr. Perceval) in objecting to the motion proposed by Mr. Sheridan, because it was merely retrospective, and had no view to future services; it was not a preface but a postscript, not an exhortation but an epitaph. He went over much of the ground upon which the previous question had been previously opposed, and contended, that coming from the quarter it did, and supported by the same right honourable gentleman whose sentiments, frequently expressed in that House, were known to be inimical to the volunteers, he must consider it as coming indirectly from him; for though it was the voice of Jacob, still the stroke came from the hand of Esau, and it would be utterly impossible for the most hostile government, determined to express the most hostile opinion to the continuance of the volunteer system, to do so in more direct and unequivocal terms than by a previous question, on an occasion like this. It was impossible to construe it in any other way; and he thanked his Majesty's ministers for thus candidly expressing their sentiments, and setting all doubt at rest, as to their intentions respecting the continuance of the volunteers.

Mr. Windham replied, and positively denied any such wish or intention as the discontinuance of the volunteers; his wishes and intentions were the direct contrary way; notwithstanding the artful attempts of his opponents to affix such designs on him. In answer to what had been said relative to drill-serjeants, he observed, that the very clause which

which reduced their pay, gave them the option of retiring if they chose.

Lord De Blaquiere supported the original motion.

Mr. Whitbread adverted to an honourable gentleman's (Mr. Canning) observation, that we ought to thank the volunteers now, because we had further need of their services, but that the reason of other military bodies not having received the thanks of Parliament last war was because we had done with them. This was a sort of gratitude which he hoped he (Mr. Whitbread) should never be induced to hold out to those who, in the most spirited and most patriotic manner, stood forward in defence of their country. The honourable gentleman had made some allusion to an epitaph, but the House would perceive that it was when a man was dead that we generally thought the fittest time to write epitaphs and praise him. He would be most willing to return thanks to the volunteers, if there was an end of their services.

Lord Castlereagh said a few words in support of the original motion; and upon a division the numbers were

For the previous question - - -	75
Against it - - - - -	41

The original motion was then withdrawn.

On our return to the gallery, we found Mr. Sheridan observing, that suspicion and jealousy had, from whatever cause, whether from misconception or misrepresentation, of late appeared among the volunteers, with regard to the measures and intentions of government. In order to remove this suspicion, he would beg leave to propose the following resolution, which was nearly similar to what he had before moved, namely,

"That the House continued to retain its cordial sense of the zealous exertions of the volunteers and yeomanry of the United Kingdom, and highly approved of the perseverance and patriotism which they had so eminently displayed in the defence of the country."

Mr. Yansittart seconded the motion.

Lord Howick then said, that however painful it might be to his feelings, thinking so highly as he did of the zeal and patriotism of the volunteers, yet when he considered the nature of the debate that had taken place that night, and the diversity of opinion that had been manifested, he felt himself called upon to move the previous question.

Mr. Canning observed, that though the present motion fell short of what he had wished; yet having failed in his first object, this motion should have his cordial support.

Mr. Addington said, that no man was a warmer friend to the volunteers than he was; but he could not see any present call for such a measure. It was a possible event that peace was at no great distance, when it would be much better to pass a vote of thanks to the volunteers when their services were finished, than it would be to anticipate such a vote at present.

Lord Henry Petty supported the amendment, and concluded with observing, that he trusted a time would come, when a motion for thanks would be proposed that was not dictated by party motives, or the fancy of individuals.

Mr. Perceval expressed his astonishment that the noble lord should ascribe a motion to party motives, that was proposed by a distinguished member of the administration to which he belonged, and that had been seconded by an honourable secretary. He would therefore leave it to these gentlemen to determine which were influenced by party motives. These gentlemen who had formerly supported a vote of thanks were equally bound to do so now.

Mr. Vansittart said, that having formerly concurred in a vote of this nature, he felt it impossible to refuse concurring with it now.

After a few words from Mr. Alexander, a division took place, and there appeared,

For the previous question, - -	69
Against it - - - - -	39
Majority - - - - -	30

The House then adjourned at four o'clock in the morning.

HOUSE OF LORDS.

SATURDAY, JULY 12.

The royal assent was given by commission to the assessed taxes allowance bill, the Irish spirits duty collection bill, the Irish revenue bill, the customs fees bill, the post office regulation bill, the thread lace bill, the East India shipping bill, and twenty-six private bills.

The

The commissioners were the Lord Chancellor, the Earl of Aylesford, and Lord Walsingham.

The training-bill and the militia ballot bill were read a third time and passed.

The Nabob of the Carnatic's creditors bill, and some private bills, were brought up from the House of Commons, by Mr. Hobhouse and others, and read a first time.

The Greenwich chest bill and the Greenwich hospital bill passed through committees, and were reported.

The other bills on the table were forwarded in their respective stages. Adjourned till Monday.

HOUSE OF COMMONS.

SATURDAY, JULY 12.

Agreeably to a message from the Lords by the deputy gentleman usher of the black rod, the Speaker, attended by several members, proceeded to the House of Peers, and on his return he stated that the royal assent had been given by commission to several public and private bills.

The consolidation fund bill was read a second time, and committed for Wednesday.

The seamen's allotment bill, Lord Rodney's annuity bill, the Irish revenue continuance bill, the ordnance lands bill, and the Bell Rock light-house bill, severally went through a committee, and the reports were ordered to be brought up on Monday.

The sugar bounty bill, the Irish militia services bill, the British silk bounty bill, the Gibraltar and Malta trade bill, the innkeepers' allowance bill, the stamp laws amendment bill, the London legal quays sale bill, the ship-timber importation bill, the Irish gunpowder and ammunition importation bill, the currant and raisin exportation bill, the Irish French wines bill, the Scotch exchequer chamber bill, and the Scotch forfeited estates bill, were reported, and ordered to be read a third time on Monday.

The warehouse goods bill was reported, and ordered to be re-committed on Monday

The report of the committee of supply was brought up and agreed to.

The volunteer officers rank bill was read a third time and passed.

A message from the Lords stated their Lordships' assent to the militia balloting lists bill, the training bill, the Irish roads

roads bill, the Irish butlerage bill, the Irish customs regulation bill, the Scotch distillery bill, the commissioners of assessed taxes name mistake bill, the postage of letters regulation bill, the Westminster Hall and Parliament House new avenues bill, and the London and Westminster coal inland navigation bill.

Ordered on the motion of Mr. Perceval, that the militia officers bill should be printed.

Mr. Robson gave notice of his intention to move, on Wednesday, next, that the House should take into consideration the papers on the table relative to the barrack department.

Sir C. Pole gave notice that he should on Monday move for leave to bring in a bill to prevent the erection of any embankment in a public harbour without permission from the Admiralty.

The other orders of the day were postponed, and the House adjourned till Monday.

HOUSE OF LORDS.

MONDAY, JULY 14.

In an appeal from the Court of Chancery in Ireland, "Chamley v. Lord Dunsany and others," the solicitor-general was heard for the appellant. Further hearing the next day.

Mr. Parnell, and several other members of the House of Commons, brought up the insolvent debtors' bill; returned and agreed to; also the Irish militia service bill, the volunteer officers' rank bill, and some private bills, which were read a first time.

The Greenwich chest bill, and the Greenwich hospital bill, were read a third time and passed.

The nabob of the Carnatic's creditors' bill was read a second time and committed for the next day.

The Lord Advocate of Scotland, and several other members of the House of Commons, brought up the Scots forfeited estates bill, the Scots treasury chambers bill, the Gibraltar and Malta trade bill, the silk bounty bill, the sugar bill, and the French wines bill, which were read a first time.

The vote of credit bill, the grain interchange bill, the Newfoundland fishery bill, the oil of vitriol bounty bill, and the

the quarantine bill, passed through committees and were reported.

A message was ordered, on the motion of Lord Walsingham, to be sent to the House of Commons, requesting a copy of the report relative to the Scots forfeited estates.

On the second reading of the bill for more effectually partitioning lands in Ireland subject to ascertained rights of common,

Lord Redesdale made several observations, for the purpose of proving, from the nature and provisions of the bill, that it ought not to be further entertained by the House, and concluded by moving that the bill be rejected.

The motion was supported by Lord Eldon and the Lord Chancellor, and agreed to.

The Usher of the Black Rod having appeared at the bar, and informed the House that the Commons were ready for a conference in the Painted Chamber, a committee of conference was appointed, consisting of the Earl of Westmeath, the Earl of Limerick, Lord Viscount Carleton, the Bishop of Winchester, the Bishop of Ossory, Lord Redesdale, and Lord Arden, who went forth to the Painted Chamber.

On their return, the Earl of Westmeath reported to the House, that they had received from Mr. Bankes, on the part of the committee of Commons, a paper which his Lordship read, containing a resolution of the House of Commons (relative to a former resolution of their Lordships, communicated to the House of Commons, respecting the examination of Lord Teignmouth) referring to the precedent of the examination of the Earl of Balcarras before the House, who, not being a Peer of Parliament, was ordered to attend the House, whilst on the same occasion Earl Cornwallis, being a Peer of Parliament, was requested to attend by a message to the House of Lords; also stating, that Lord Teignmouth, not being a Peer of Parliament, or having a place or seat in the House of Lords, was in the same manner as the Earl of Balcarras, ordered to attend the House of Commons to be examined; and, finally, declaring that the House of Commons conceived it to be their undoubted right to order the attendance before that House, to be examined touching any matter before the House, of any Peer, not being a Peer of Parliament, or having a place or seat in the House of Lords.

The Earl of Limerick observed, that this resolution contained matter of the highest importance to the peerage

of the United Kingdom, and he therefore trusted their Lordships would take it into their consideration on the earliest possible day.

On his Lordship's motion, the resolution was ordered to be taken into consideration on Thursday, for which day the Lords were ordered to be summoned.

The Attorney General, and several other members of the House of Commons, brought up the Masters in Chancery provision bill, the masts bill, the raisin bill, the excise laws bill, and the innkeepers' allowance bill, which were read a first time.

The first reading of the Masters in Chancery bill was moved by Lord Eldon.

The Lord Chancellor expressed his warm approbation of the bill, the object of which was to make an adequate provision for several persons of eminent ability and enlightened minds, to whom the country were every day essentially indebted, for the able and upright discharge of the duties of their offices. The country were also indebted to his noble and learned friend (Lord Eldon), for the excellent choice he had made of many of those who now filled the offices of Masters in Chancery; a choice the more pleasing to his noble and learned friend, as those whom he appointed, while they possessed in an eminent degree every qualification that could fit them for their offices, were, at the same time, his private friends. He rejoiced that such a bill had come up to that House, with respect to which it was important also to observe, that it would not be a taxation upon the public, and that not one individual in the country would have any additional burden thrown upon him in consequence of the passing of this bill.

The bill was ordered to be printed. Adjourned.

HOUSE OF COMMONS.

MONDAY, JULY 14.

The report of the insolvent debtors' bill was taken into farther consideration. The bill was read a third time, passed, and ordered to be sent to the Lords.

Sir John Gordon's divorce bill, the sugar bounty bill, the Irish militia services bill, the silk bounty bill, the Irish French wines importation bill, the Edinburgh exchequer chamber bill, the Scotch forfeited estates bill, the Gibraltar and Malta trade bill, the excise laws amendment bill, the legal quays bill, the American masts importation bill, the Irish

Irish gunpowder non-importation repeal bill, the raisin, currant, and fig exportation bill, the innkeepers' allowance bill, and the bill for making better provision for the Masters in Chancery, were all read a third time, and passed.

On the motion of Mr. Hawthorn, the accounts laid before the House relative to the shipping of Ireland were ordered to be printed.

Mr. Hobhouse brought up the report of the committee on the Bell Rock bill, which was agreed to, and the bill ordered to be read a third time the next day.

Mr. Hobhouse also brought up the report of the committee on the Scotch forfeited estates balance appropriation bill. Ordered to be read a third time on Monday.

The members appointed to manage the conference with the Lords, relative to the application for the examination of Lord Teignmouth, consisting of all those in the House at the time, then proceeded to the conference. On their return, Mr. Bankes informed the House, that the members appointed to manage the conference on the part of the Commons had attended, and had met Lord Westmeath on the part of the Lords, to whom they had imparted the answer of the House to the Lords' message, and had left with him a copy of it.

A message was received from the Lords, stating that their Lordships had agreed to the Greenwich Hospital and Greenwich chest bill.

Mr. Meheux, from the India House, presented certain papers relative to the Surat charge, agreeably to orders of the House of the 17th March, 21st April, and other dates.

In moving that these papers be printed, Mr. Paull took occasion to ask a noble Lord under him (Lord Morpeth) if government had any information on a subject, evidence of which he held in his hand, namely, of two loans to a considerable extent transacted in India, one of them opened in March, and for particular reasons closed in June; and another opened in October, and also, for particular reasons, closed in February?

Lord Morpeth replied, but in so low a tone as rendered it impossible to collect his exact meaning, though we understand it amounted to a negative.

The motion for printing the papers was then agreed to.

PUBLIC ACCOUNTS.

Mr. Huskisson rose, pursuant to the notice he had given on a former day, to bring forward his promised resolutions, for the purpose of establishing a plan for simplifying and rendering more definite the annual accounts laid before Parliament of the receipts and issues of the treasury for public purposes within the year. After expatiating upon the want of regularity, clearness, and precision, in the accounts annually laid before the House, in consequence of each not being brought up to one general date, the object of his proposition was, that the accounts should all be made out up to the 5th of January in each succeeding year, not of the receipts and issues *for* the year, but *within* the year, and that all surplus, if any then remaining in the treasury, should be carried to the account of the next year; and that all floating debts due for the year, and not then brought forward, should be transferred in like manner to the next year's account; while the lords of the treasury should be enabled to issue out of the next year's revenue, payment for any bills so furnished after the 5th of January, for purposes ordered for the preceding year. There was also another proposition which he had to submit to the House, which would not only tend still further to simplify the public accounts, but to effect a considerable saving to the public annually, by enabling the lords of the treasury to pay off quarterly a certain portion of outstanding exchequer bills, and thereby saving to the public the interest that must grow thereon by longer outstanding, as is usual, while considerable balances were remaining in the treasury. This proposition was to perpetuate the taxes on malt, land, sugar, and pensions, which at present were voted annually, and estimated each year to produce about 2,750,000*l.*; the produce of these, instead of standing on a distinct account, he proposed should be carried to the consolidated fund; and in lieu thereof, he should propose, that three millions a year should be granted out of the consolidated fund to his Majesty, for the purposes to which those taxes were appropriated. He apologised to the House for bringing forward these propositions himself, as wanting that weight and consideration which could give them authority; but he had previously submitted them to the noble lord opposite to him (the chancellor of the exchequer), and had the good fortune to meet his approbation;

besides, he thought it the duty of every member of that House to suggest to his Majesty's ministers and to Parliament, every project which he conceived to be for the public advantage, and of utility to the state. Mr. Huskisson then moved, as his first resolution, "That an account of the total receipts of his Majesty's exchequer, whether arising from ordinary or extraordinary resources, together with the issues therefrom, be made up in each year, to the 5th day of January; and that the same be laid before the House within thirty days after the meeting of Parliament in each year."

Lord Henry Petty acknowledged that the honourable gentleman had submitted to him the several resolutions contained in his plan, previously to his proposing them to the House; and they certainly had his approbation, because he conceived that a plan having for its object to make the accounts as clear and as intelligible to the House, and to the country at large, as possible, was extremely desirable; for which, the mode proposed by the honourable gentleman seemed to him well calculated; and he should be glad to avail himself of the honourable gentleman's suggestions for carrying it into effect. Seeing no manner of objection at present to the adoption of this resolution, it should certainly have his concurrence.

The resolution was then put and carried.

Mr. Huskisson then moved several other resolutions, necessarily explanatory of the remainder of the proposed plan, which were also put and carried; but on moving the resolution, that it would be expedient to perpetuate the land, malt, sugar, and pension taxes,

Mr. Baker rose to oppose the proposition, which he considered as a striking innovation, introduced at the close of a session of Parliament, without any of the formality or mature consideration that should have accompanied a proposal, which, if he understood the honourable gentleman, must go to trench very materially upon a constitutional privilege of the House of Commons, and materially abridge that wholesome check which it held upon the crown, namely, the privilege of voting or withholding the supplies annually. We had been, he said, heretofore frightened at the apprehension of a standing army; but now we had got that standing army. That it might be rendered necessary by the circumstances of the times, he would not now dispute. But here was a proposal in which

the House was called upon, at a moment's warning, to vote those taxes in perpetuity, which hitherto had been voted only annually. To such a proposition he should decidedly say nay, unless it was much more fully and satisfactorily explained to him.

Lord H. Petty did not consider that the proposition of the honourable gentleman had really any such tendency. He foresaw, however, that it might be liable to the objection just made by another honourable gentleman near him. He would recommend, therefore, that the honourable member would not press his motion just now, but that the further consideration of his resolutions should be adjourned to a future day; they might in the mean time be printed, and the House would have a further opportunity of considering them before it should be called upon to give a final decision.

Mr. Huskisson disclaimed any idea of taking the House by surprise.

Mr. Yorke, Colonel Bastard, Mr. Perceval, and Mr. Rose, were of opinion that this resolution ought to be withdrawn, upon the ground of the objection made by Mr. Baker, but thought it desirable to retain the other resolutions.

Mr. Huskisson obtained leave to withdraw the resolution, upon the understanding that he was not again to propose it in the present session.

Mr. Johnstone submitted certain resolutions to the House, respecting the amount of the national debt, &c. on which the debate was postponed to a future day.

ADDITIONAL PAY TO THE ARMY.

On the motion of Lord H. Petty, the House resolved itself into a committee of supply, to which the estimates respecting the addition of pay to the army were referred.

The Secretary at War then rose to move certain resolutions on this head, which he trusted would meet with the unanimous concurrence of the House. The low rate of pay of officers of infantry was a subject on which all must be agreed, that it was a wonder how they had been hitherto able to subsist. The patience with which they had waited for some addition to their pay was so exemplary, as to call for the approbation of the House and of the country. Even the increase which was now proposed was not, however, to be considered as an adequate reward for their services.

vices. This would require a much larger addition; but the present situation of the country, which called for the utmost economy, admitted that such increase only should take place as was required by absolute necessity; and he was convinced that it would be rather a subject of regret, than of satisfaction, that the proposed addition was so small. The increase, besides, was to be partial only, and not general, and was only to extend to those whose pay was inadequate to their situation. Notwithstanding the nobler claims which officers had to respect, arising from the nature of their profession and their honourable services, yet all must know, that unless enabled to support a certain rank in society, they would not meet with general respect from the world, and thus the strongest discouragement would be held out to a profession which deserved so well of the country. His first resolution related to an increase of the pay of officers of infantry. The second proposed an addition to the pension of officers' widows; and the third related to the increased pay of serjeants, corporals, and privates, and the addition to the Chelsea pension. The grounds on which these last were adopted, had already been stated in the course of the discussions on the mutiny bill. It was also proposed, that every field officer, commanding a regiment for the time, should have during that period an addition to his pay of three shillings a day. This was founded on the obvious principle of his being enabled to support at such a time a certain higher degree of rank. It was besides thought proper, that some addition should be made to the pay of captains of a certain standing in the army. After ten years service, it was desirable that some increase of pay should take place. At present, such officers were entitled to the rank of brevet-major, and it was now proposed that they should receive an addition of two shillings per day. It was also proposed to grant an additional allowance to lieutenants of seven years standing. During war, promotion advanced with so much rapidity, that there were seldom any instances of this sort, but in peace the case was different, and promotion became more slow; hence there was an evident propriety in making some addition. He then concluded with moving that the sum of 161,700*l.* 9*s.* 11*d.* be granted for defraying the expence of these additional allowances for 183 days, from the 25th June to 24 December.

Sir Arthur Wellesley made several observations on the pay of subalterns in the guards, which he contended was too

too small. He thought also that the lowest sum on which an ensign could subsist was 5*s*. 8*d*. per day.

Mr. Windham thought the common opinion incorrect, which went to regulate the pay of officers exactly by subsistence, and to increase the pay of the lower orders for the purpose of bringing them nearer the higher. All this seemed founded on a false assumption. The consequence of the present system was, that none could enter the army as officers who had not something else besides their mere pay. This was important in a constitutional view, since it prevented them from becoming mere mercenaries, and gave them an interest in the country which they defended. Besides, there had been no difficulty of late in procuring officers, even when the pay was confessedly more inadequate than it was now proposed to be made. But it was also an object of importance that subalterns should look forward to something higher, when their emoluments might be better proportioned to their expenditure. The ground of the whole system was, that the pay of officers, though not generally adequate, might yet be so in particular instances, by means of extraordinary economy. Thus, in addition to those who entered the army with some property of their own, there might be others, impelled, perhaps, by a strong military inclination, though destitute of all other resources, who might go on for a time, by dint of rigid economy, and struggle through the situation of subalterns, till they arrived a a higher rank. It was not thought necessary that an easier species of admission should be granted to the lower ranks of society. Young men, also, who entered the army, generally received that assistance from their relations, which at a more advanced period was not to be expected, and were then better able to submit to privations of every kind, while the increase of their pay would advance in proportion to their rise in their profession. He had no doubt that a sufficient number of individuals would always be found possessed of magnanimity enough to bear all these inconveniences, with the prospect of improving their situation in the army. These were the grounds on which the present scale of additions was calculated.

Lord De Blaquiere observed, that having spent the best part of his life in the army, he had a fellow-feeling for all those who belonged to it, and could not but admire the wonderful addition of 1*s*. 1*d*. per day to field officers. This pittance would not enable them to pay the tax on property,

property, which had been imposed during the present session, since every officer who received 200*l.* a year would have to pay 20*l.* out of it. He could have wished that a still larger addition had been made to the pay of captains.

The Secretary at War replied, that, besides this increase of pay, every field officer was to receive forage for one horse. In answer to what had fallen from an honourable general with regard to the officers of the guards, he observed, that, as they had universally private fortunes of their own, they did not need the present addition, and he could speak from his own knowledge of that body, acquired from long service in it, that they would disdain the idea of serving for money alone. But the allowance of forage for one horse was also to be extended to them.

Lord Temple wished to know what addition was to be made to the pay of militia officers?

The Secretary at War replied, that the increase was only to extend to subalterns, on the principle that the field officers must by law be men of fortune.

Sir A. Wellesley repeated his former observations with regard to officers of the guards; which again called up

Mr. Windham, who observed, that if people could be found to fill the rank of officers without pay, and actuated by the love of honour and distinction alone, it would be so much the better. But since this was not to be generally expected, they must be influenced by the mixed consideration of pay and honorary distinction. Now the higher rank of officers in the guards was really one of these considerations, by which men are apt to be influenced.

Mr. Francis wished to know, whether it was meant to reimburse officers for the expence of the property tax? If this were not done, what the House gave with the one hand, it took away with the other.

Mr. Windham replied, that this was a subject which could only have come before the House with propriety when that tax was discussed.

Lord Temple expressed his regret, that his right honourable friend had not found it possible to extend the addition to captains in the militia. Of late the difficulty of procuring them had been so great, that colonels of the militia had been empowered by act of Parliament to take captains from half-pay of the line, and many subalterns had also been promoted to that rank, who had not the usual qualification in land. But as no alteration could be made in the present resolutions, there was only one remedy

which

which could be applied, and that was by addressing the crown, that a similar addition might also be extended to them. Unless such an augmentation should take place, he pledged himself to submit a motion to the House on the subject, in the next session of parliament.

Mr. Windham acknowledged, that there was a certain number of the militia officers of the description that had been mentioned. But besides that they had not passed through any subordinate situations, it was improper that the interests of a few should prevent any general regulations with regard to that body.

Colonel Craufurd observed, that this difficulty in procuring officers with the legal qualification arose from the late great extension of the militia, and when they were diminished the difficulty would cease. The resolution was then agreed to.

A second resolution, granting a sum of 3829*l.* 19*s.* 3*d.* for defraying the charge of increased pensions to officers' widows; and a third, granting a sum of 50,000*l.* to cover the increased charge of the out-pensioners of Chelsea hospital, were also agreed to, and the report was ordered to be received the next day.

On the motion of Sir Charles Pole, leave was granted to bring in a bill for preventing nuisances and impediments in public harbours.

MILITIA OFFICERS' PAY BILL.

Mr. Windham then moved the order of the day, for the House going into a committee on the militia officers' pay bill.

Sir W. Elford said, he rose to object to any further progress of this bill now, as he had done, and should do in all its stages, from considerations of its most dangerous and mischievous tendency, with all the circumstances of which he should not trouble the House, although he should as shortly as possible point out a few of the most prominent ones. It was objectionable, first, as being founded on the assumption of a principle which had never before been acted upon; and secondly, on the abandonment of another principle which had never before been departed from; added to which objections to its principles, he felt another not less strong; that this great and very important state question, of altering the relations between the army and the militia now, for the first time since its establishment, had been brought forward at the close of a session, when the

lord

lord lieutenants of counties and the militia officers had mostly left town, and without the slightest intimation having been given, when an increase of the army pay had been proposed, that any such exclusion of the militia was in contemplation. The assuming as a principle that, because men had private fortunes, they were therefore not to receive the emoluments of the situations they held, and which the country adjudged to be the fair remuneration for their services, was one which was perfectly novel, and had no analogy or parallel in any department of the state, civil or military, that he had ever heard of, and was in itself a most unreasonable and unjust proposition: he had on a former occasion so stated it, and he would again put a case of another kind. Suppose any very respectable country gentleman, of the county of Norfolk for instance, should, in the course of events, be appointed by his Majesty one of his principal secretaries of state, and on his coming into office it was to be proposed to him, that he, having a very fine private fortune, should forego all or any part of those emoluments which were fairly attached to the execution of his high office; he would doubtless treat such a proposition as unreasonable, unjust, and absurd; and yet such was the proposition now made to the House respecting the officers of the militia: but however considerations of this kind weighed on his mind, they were trifling and contemptible in competition with the second objection, that of departing in this case, for the first time, from that radical principle on which the militia system had been founded, namely, of placing them, when called out for actual service, on the same footing as the infantry of the army in every respect whatever except that of rank, That the militia of Great Britain and Ireland were a fine body of men, the right hon. gentleman had himself, more than once, lately confessed; and, indeed, he might, without partiality, be allowed to state, that for discipline, for knowledge in the use of arms, for orderly deportment, for physical strength, and every other requisite of a soldier, except experience in actual warfare, they were as fine troops as any upon the earth; and, indeed, it would be a shame if they were not fine troops, as they were generally composed of the hardiest and most orderly part of the community—the yeomanry of the country, and had long been trained to arms—such was the militia. The means which our ancestors had adopted, and which had hitherto been invariably

riably pursued, to acquire and keep up this force, had by the effect been proved completely adequate to their end. The relations between the two services had been so wisely and admirably adjusted, that no jealousies or discontents had arisen. The army had the superior rank, as in common sense they ought to have; this superiority was cheerfully acquiesced in by the militia, and was all that the army claimed; in every other respect while acting together they were precisely on the same footing, and harmony had always prevailed. Was it wise then, he would ask, to make a great and important alteration in the relations between these two services, and to run the risk of disturbing that harmony by an innovation which most probably would be found to contain the seeds of jealousy and discord? He had heard this matter, since it was first agitated, variously represented: some had stated, that the increasing the pay of the army officers without including those of the militia, would argue an inferiority in the latter which they had never before felt; others were of opinion, that the innovation would place the officers of the militia on higher ground than they had been, by demonstrating that emolument was beneath their consideration. It was indifferent to him which of those two sentiments was to be the prevalent one; it was sufficient for his argument that both or either of them was excited, as it formed the very source of that danger which he predicted from the adoption of the present measure. If the right hon. gentleman's argument was good, that officers of the militia, being men of fortune, should not have a corresponding increase of pay with those of the infantry of the army, it was good when the militia was first established, when certainly there were at least as many, and he believed a great many more, men of fortune in that service than at present; but our ancestors judged otherwise; that they judged well the event had proved, and he therefore deprecated an infringement of those principles which appeared by the result to have been so judiciously and wisely adopted. With respect to the late period of the session at which this important state question was brought forward, and that too without any other previous intimation than a single day's notice, he put it to the House, whether, judging most favourably of the right honourable gentleman's motives, he had not a right to infer from thence, that he had not duly weighed the magnitude of the measure, and that it had not undergone

gone that previous discussion elsewhere, which its importance demanded: he had a right to draw this inference from the manner in which the right honourable gentleman had brought in his bill, which, he was sure, the House could not but have noticed. He merely stated, that a bill was before the House, to give additional pay to the army; and as it was not intended to extend it beyond the subalterns of the militia, it was necessary a legislative measure should be adopted so to limit it. He merely stated it as a matter of little moment, and seemed to think it required no more comment than if he had moved for leave to bring in a common turnpike bill. He meant not to attribute to the right honourable gentleman any sinister motives. He meant not to accuse him of intending to effect any unavowed purpose, or to deceive the House by representing that as trivial, which he thought of importance; and the necessary result of thus fairly judging his conduct was, that he had not looked on the proceeding as of that importance which really belonged to it; he was, therefore, inclined to hope, and, indeed, to entertain a confident expectation, that when he more maturely weighed all the bearings and probable consequences of this measure, he would not persist in pressing it any further. He then declared that it was against the *principle* of this measure that his opposition was chiefly directed: that he disclaimed the meanness which had been attributed to him, of looking to mere emolument, although that, trifling as it was, might in many cases be acceptable to many officers of the militia as well as the army; but that feeling all the possible, all the probable, and all the certain evils attendant upon the adoption of this measure, he should find it his duty to oppose it in every part of its progress.

Mr. Yorke contended, that this bill might have been brought in weeks and months ago, when there was a full attendance of the members, and particularly of those who were connected with the militia service. On this ground alone he would oppose the Speaker's leaving the chair. The right honourable gentleman had already struck a blow at the volunteers, as much, perhaps, by the manner in which he had introduced his measures, as by the objects which they had in view, and now he made a similar attack on the militia service, while, from the thinness of the House, he thought himself exempted from the necessity of defending the measure. He then took a view of

the arguments against the bill, and concluded with observing, that the invidious distinction now proposed to be established, would not save more than 5600*l.* to the country.

Colonel Bastard contended, that the present measure was a breach of the faith of Parliament, which was pledged when the militia were first raised, that they should be on the same footing in all respects with the army. Their services were kept, while they were deprived of those privileges to which they were entitled. The distinction now proposed was odious, and for a pitiful saving, the whole militia service was to be disgusted.

Lord Temple totally differed from the opinions of the hon. gentleman, and disclaimed his assistance on the terms he had mentioned; he could not approve that wandering manner with which gentlemen on the other side seemed determined, whatever was the question, to inveigh against expressions said to have been used by his right honourable friend (Mr. Windham) respecting the volunteers. Those topics were now introduced into every debate. He would, however, leave it to the House, from what side the expressions now came, which had an obvious tendency to irritate the volunteers, and to disgust them? Who were the men who now avoided all conciliating language, and who appeared to wish to diminish both the numbers and the spirit of the volunteers? There was an objection, however, which he had to the bill, and that was, that it gave to volunteer officers, when called into action, superior advantages to what the officers of the militia would have.

Mr. Bankes said, that he should himself make no observation, but he would leave it to the House to judge on the manner and tone with which the noble lord (Temple) upon this, and indeed almost upon every occasion, reprehended those who differed with him in opinion. The House would discover on what ground his title to give such lectures rested, whether it was on his superior ability, or his great experience. It appeared to him, that it was too late in the session (when the extraordinary pressure of business was considered) to bring forward a measure which might disgust such a considerable body of men, who formed the constitutional army of the country. As to the economical saving, he considered that it was a mere trifle when compared to the serious mischief of disgusting the militia. He thought that a measure of such moment should not have been

been brought forward at such an advanced period of the session that a regular and decent attendance of members could not be expected.

Mr. Windham took a review of the objections that had been urged by different gentlemen, from the temperate and argumentative speech of an honourable baronet (Sir W. Elford), to the intemperate, unreasonable, uninteresting, and (as he conceived) most unargumentative speech of a right honourable gentleman (Mr. Yorke). He differed from the hon. baronet in the whole view of the case. Instead of considering it an innovation on any fundamental principle, it appeared to be one of those mere matters of discretionary regulation, which was always supposed to be completely open to the wisdom of Parliament. It had been laid down as the general rule, that the militia were to have the same pay as the army. It should, however, be recollected, that this rule was not founded upon any constitutional principle, but merely on the words of the act of Parliament. It was therefore to be considered, what were the words of the act, and what the meaning of it. The militia were called out according to law, but as there before existed no law to determine what provision should be assigned for them, the act of the 42d of the king stated, that that should be the same as was allowed to the army. The meaning of the act was clearly, that as it was necessary to assign them some provision, the legislature thought that what the army then received was not too much. In assigning them that for their provision, the legislature never meant to tie up the hands of the sovereign, or prevent his increasing the pay of any other description of his force. If it was contended, that on account of the words of this act, the King could not now make any provision for any other description of force which should not extend to the militia, the conclusion appeared to him a *non sequitur*. That his majesty might, from time to time, make alterations with respect to one part of his force, which should not extend to the other, was a thing agreeable to reason, and to the fact. In reason, it could not be contended, that regular troops, who were liable to be called at a moment's notice, to serve their country abroad in unwholesome climates, and exposed to danger, were not in a situation very different from the militia, who could not be ordered out of the country; if then their situation was different, it would not be unreasonable if there should be some difference in their

their allowances. In point of fact, too, a difference had always existed. The officers of the regular army were entitled to half-pay when militia officers were not. The field-officers of the militia, however, made no complaint. It was not so much a difference between regulars and militia, as between one part of the army and another. As to the hon. gentleman (Mr. Yorke), he must say, that with whatever gravity of manners, or authority of tone, he chose to lecture him upon what was his duty as a minister and a member of Parliament, the whole weight and importance of his lectures depended upon the strength of the arguments he adduced, and if his arguments were altogether feeble, it was in vain for him to take the tone or manner of authority. The mode which the honourable gentleman had adopted might serve as an useful example, not to follow, but to avoid. The thing, however, which seemed most to have offended the hon. gentleman was, that he seemed to think that he (Mr. Windham) had not received his arguments with all that attention, deference, and respect, which he, no doubt, thought was due to them. It was impossible for ministers, or any other men, to direct their whole attention, in the course of a long debate, to every word that came from those gentlemen on the opposite benches. Sometimes the very business of the debate itself would oblige them to converse a little with those who sat near them. He believed that it was really some observation arising out of the debate, which might have caused for a moment that apparent inattention of which the hon. gentleman (Mr. Yorke) so loudly complained.

Mr. Yorke, in explanation, said he was ready to apologize to the House, if he had made use of any unparliamentary expression: he certainly had felt a considerable indignation at a business of such importance being brought forward so late in the session. This indignation he meant to express with the freedom which became a member of Parliament, and he hoped he had not transgressed the proper bounds. He had also conceived, that he saw a marked inattention from the right hon. secretary, with which he confessed, that he felt himself very much hurt. Since the right hon. secretary had, however, disclaimed what he conceived to have been a marked inattention, he was ready to apologize to the House if he had been guilty of any irregularity.

Mr. Perceval thought the arguments of his right hon. friend

friend had been mis-stated. The great objection to the bill which was now presented to the House was, that it was upon a subject of so much importance, that it was not fair to bring it forward at so late a period of the session, when there could be but a very thin attendance of members. It appeared to him, that it would be very wrong in point of policy that such a measure should be brought forward, at a time that the militia were in arms and embodied. It was then no time to disgust men, when we looked to them for services. He might be told, as he was the other night, about the volunteer drill serjeants, that they might resign. He doubted, however, even whether those who asserted that proposition could venture to say that the militia might resign. If then it was allowed that they could not resign, and that the terms under which they entered were, that they should be on the same footing with the army, it would be a violation of faith with them to place them now upon a worse condition than the army. Certainly no little saving, in point of economy, could compensate for the impolicy of disgusting such a body as the militia, at a time when their services were so necessary.

Mr. Giles considered that all the objections which were made to every measure on account of the lateness of the session, amounted only to this question, why did not the present ministers bring forward all at once all the measures which they meant to introduce in the course of the session? As to the breach of public faith that was so much spoken of, he begged leave to remind gentlemen, that the militia was not a voluntary, but a compulsory service, and that if no particular faith was pledged to the ballotted men, certainly their substitutes stood in no better situation than they did. Of a man that voluntarily enlisted in the regular army, it would be right to consider strictly the terms under which he entered; but the militiaman, whether he is the balloted man or the substitute, enters into the service from the compulsion of the law, and can claim no other terms but what the legislature chooses to give.

Lord De Blaquiere rose, and spoke on many topics. While he was discussing the vote of thanks proposed on a former night to the volunteers,

Colonel Craufurd rose to speak to order. He felt unwilling to interrupt the noble lord; but still, at such an advanced period of the session, and at so late an hour at night, he thought the House ought not to listen to arguments

ments which, although they might have been very proper on former debates, had nothing to do with the question then before the House.

The Speaker decided that the noble lord was not in order.

Lord De Blaquiere then said, that as he was not made of brass, he must bow to the authority of the chair. After a variety of observations, he concluded by opposing the bill.

Mr. O'Hara was for the bill. He was sure that both the field officers of the militia and of the volunteers would cheerfully yield to any deductions, that could tend to give the country a greater disposable force at the present moment.

Sir William Lemon considered that it might be the cause of much discontent, that when the officers of the regulars and militia messed together, the one should say, "We are superior to you; our pay is higher!"

Mr. Ellison agreed in the sentiment of the honourable baronet who spoke last, and thought that it would be a subject of heart-burning, and might create, if not discord, at least a considerable degree of dissatisfaction.

Colonel Craufurd could not at all agree with the opinion of the honourable baronet. So far from the regular officers being entitled to claim any superiority on account of this distinction, he thought the superiority (as far as income went) was on the other side; and that the militia field officers who did not receive the increased pay merely upon the ground that they were men of somewhat superior fortune, and who, therefore, did not require it, ought, on that ground, neither to claim a superiority over the regular officers who were, in general, inferior to them in point of fortune. He knew that it was unparliamentary to impute any improper motives to members of that House; but he must say, that if, in any other assembly, men had acted the same part as had been pursued by those of opposition; if, on every question that could be brought forward, so much was said in praise of the volunteers, and so much had been said of certain expressions of his right honourable friend (Mr. Windham); he should think that their object was merely to catch at popularity, to win to their side that numerous and respectable body of men, and to make his right honourable friend as unpopular and as odious as they could to that body. This would have been his opinion, if a similar

a similar conduct had been adopted by any set of gentlemen out of that House, but in that House he knew that it was most unparliamentary to suppose that any member could be actuated by such motives, and therefore he did not impute such to them. As to the distinctions of pay, such distinctions already existed in the regular army, and were not complained of.

Colonel Mitford was against the bill.

Mr. Secretary Windham (after some conversation with Lord Temple), begged leave to withdraw his motion, "that the Speaker do quit the chair," and to substitute in the place of it, "that it be an instruction to the committee to empower them to extend the provisions of the act to the yeomanry and volunteer corps."

After a few words from Mr. Bastard, the motion was agreed to; as was also that of the House resolving itself into a committee. In the committee, Sir William Elford proposed a clause for leaving out the word "officers," which was negatived by a majority of 38 to 17.

The bill was then passed through the committee, and the report was ordered to be received the next day.

Sir C. Pole moved the first reading of the bill for preventing embankments in harbours, or rivers communicating therewith, without notice previously given to the admiralty. A long conversation then took place, in which the object of the bill was universally approved of, which was to prevent the injury which individuals might do to the great harbours and the country. The words of the bill were, however, conceived by many members as too general.

Sir C. Pole said, that in the progress of the bill he would be very ready to listen to any suggestions that were made.

The bill was then ordered to be read a second time the next day.

LINEN DRAWBACK BILL.

Upon the motion of Mr. Foster this bill was read a third time.

Mr. Vansittart moved a clause, for continuing the present drawbacks on the exportation of German and Russian linen to the West Indies to the 26th of March 1807, and for the usual time that drawbacks were usually granted after that time.

Mr. Foster opposed this clause as striking directly at the

staple manufacture of Ireland, and being contrary to the bargain made between the two countries.

Mr. Vansittart proposed adjourning the discussion of the clause.

Mr. Foster said that he had been so often persuaded by ministers to postpone the bill, that he could not, in justice to Ireland, postpone it any longer, unless there was a positive engagement that it should be the first business discussed the next day.

Mr. Dawson and Lord Acheson contended, that as it was a subject which every Irish member was agreed on, the right honourable gentleman (Mr. Vansittart) ought not to press his clause.

Mr. Vansittart consented to withdraw it.

The other orders of the day were then disposed of; and at half past one o'clock in the morning the House adjourned.

HOUSE OF LORDS.

MONDAY, JULY 15.

In the appeal "Chamley *v.* Lord Dunsany and others," Mr. Agar was heard for the appellant. Further hearing the next day.

The masters in chancery bill, the Scots forfeited estates bill, the Irish militia service bill, the volunteer officers rank bill, the Gibraltar and Malta trade bill, the silk bounty bill, the sugar bill, the French wines bill, the gunpowder importation bill, the masts bill, the raisins bill, the excise laws bill, and the innkeepers' allowances bill, were read a second time, and committed for the next day.

Mr. Alexander, and several other members of the House of Commons, brought up the linen drawback bill, and some private bills, which were read a first time.

The Nabob of the Carnatic's creditors bill passed through a committee, and was reported.

The Attorney General, and several other members of the House of Commons, brought up the chancery clerks' bill, the ordnance lands bill, the seamen's wages bill, and the Irish revenues bill, which were read a first time.

The American intercourse bill was, on the motion of Lord Grenville, ordered to be read a third time on Thursday.

The

The Irish quit rents bill was read a second time, after a short conversation between Lord Redesdale, Lord Grenville, Lord Eldon, and the Earl of Limerick, as to the nature of the bill, and committed for the next day.

The House resolved itself into a committee on the Irish school commissioners' bill. Some conversation arose upon the clauses, between Lord Redesdale, Lord Grenville, and the Bishop of Ossory. Lord Redesdale moved an amendment, to render the bill temporary instead of permanent; which was opposed by Lord Grenville, and negatived. The Bishop of Ossory proposed a clause, to save the privileges of Trinity College, in Dublin, but it was thought by Lord Grenville unnecessary, as the bill would not affect the privileges of the college. After some further conversation the bill passed through the committee, and was reported without amendment.

SLAVE TRADE.

On the order of the day being read for the House resolving itself into a committee on the slave-ship restriction bill,

The Earl of Westmorland went over several of the arguments before urged against the bill, which, he contended, would be highly unjust in its operation, and that by enacting that the ships now employed in the slave trade should be traded by the same owners, great loss of property would frequently ensue to the remaining owners of a vessel, where a part-owner died, or became a bankrupt, as in that case, from the change of the property, the ship could not be continued in the trade.

Lord Grenville contended that it having been determined by both Houses that the slave trade ought to be abolished as soon as possible, it was a necessary consequence of that measure to bring in the present bill, in order to prevent that superabundant supply of slaves, which would otherwise be attempted in the interval to be poured into the West India islands, whilst it was at the same time an act of justice to the subjects of the country to prevent them from engaging in a trade to their certain loss. He did not conceive that any injustice to individuals would result from the present bill, although, in all great measures of policy, it was impossible to prevent some individual hardships arising from their operation.

Lord Eldon argued that in the present case individuals

might be exempted from loss of property without endangering the principle of the bill. He was of opinion that, from the words of the bill, if any part-owner of a ship employed in the slave trade died or became bankrupt, the property being changed, the remaining owners could not continue to trade with the vessel, the property in which would therefore become of little or no value, the remaining owners sustain a heavy loss, and the estate of the testator or the bankrupt be seriously injured, and thus creditors be unable to obtain their demands.

The Earl of Lauderdale defended the bill, and maintained, that the persons engaged in the trade had had amply sufficient notice of the intention of the legislature to abolish it, and therefore ought not now to complain of injustice. He thought that the words of the bill, which had been objected to, ought to remain, as to allow other owners to trade with the present vessels would only tend to increase the number of claimants for compensation when the legislature finally abolished the trade.

Lord Viscount Sidmouth declared himself friendly to the abolition of the trade, provided it was done cautiously, with full information upon the subject, and with as little injury and oppression as possible to individuals.

Lord Redesdale also expressed himself friendly to the abolition, but thought it had been retarded by the harshness used towards those who carried on the trade. In order to prevent this bill from being a harsh measure upon individuals, he suggested that those words should be left out which restricted the employment of the vessels now in the trade to the present owners.

Lord Ellenborough was of opinion that the words objected to did not legally bear the interpretation which had been put upon them. He contended that notwithstanding the death or bankruptcy of any of the part-owners, the vessels might still be navigated under the old register.

The House then resolved into a committee, where some conversation arose upon the different clauses, in the course of which Lord Ellenborough warmly replied to an expression used by the Earl of Westmorland. The latter noble lord moved to leave out the words "any owner or owners," with a view to prevent the trade from being restricted to the present owners of the vessels employed in it. This was opposed by Lord Ellenborough and Lord Grenville, on the grounds before stated, and supported by Lord Eldon. The proposition

sition was negatived. Lord Eldon moved to extend the time limited for taking out licences for navigating vessels in the trade from the 1st of August to the 1st of September. This amendment was also negatived; as was likewise an amendment proposed by the Earl of Westmorland, to limit the duration of the bill to the end of the next session of parliament, instead of two years. The bill then passed through the committee, and was reported without amendment.

The bankrupt laws bill was read a second time, and committed for the next day. Adjourned.

HOUSE OF COMMONS.

MONDAY, JULY 15.

A message from the Lords declared their assent to the quarantine bill and others; and also requested a copy of the report of the committee for examining the accounts of the exchequer of Scotland, relating to the grants from the forfeited estates, with abstracts of the proceedings. To this part of the message the Commons resolved to send an answer by messengers of their own.

Simpson's divorce bill was committed, and after the examination of witnesses passed through the committee.

The ordnance lands bill, the seamen's allotment bill, the Bell Rock bill, the Scotch forfeited estates bill, and Lord Rodney's annuity bill, were read a third time and passed.

Mr. Williams Wynne moved for a copy of the commission or commissions, granted to provide for the proper arrangement and preservation of the public records of the kingdom, on the 11th of July 1803, pursuant to the address of the House, stating what had been done under the commission, and what were the present proceedings. Ordered.

Mr. Wynne then presented an account of the qualifications of deputy lieutenants and militia officers, from the date of the last return. Ordered to lie on the table.

The stage coach act amendment bill, the general warehousing bill, the woods and forests regulation bill, the Windsor forest inquiry bill, the Irish hops, glass, &c. bill, and the lottery bill, were reported, and ordered to be read a third time the next day.

The militia officers pay bill was reported.

Mr.

Mr. Perceval said, that he would not say any thing against the bill at present, but would take the sense of the House on the third reading.

The bill was then ordered to be read a third time the next day.

The London additional force repeal bill was committed. Report the next day.

The report of the committee of supply was brought up, relating to the additional pay to the army.

General Tarleton was of opinion that the cavalry officers ought to be included in this. It was thought, it appeared, that cavalry officers were generally persons of some fortune. But this was by no means the case; and it was to be considered that the dress and accoutrements of a cavalry officer were so expensive, that he must spend a year and a half's pay before he could mount guard.

The Secretary at War said, that the situation of the cavalry officers was much better than officers of the same rank in the infantry. He, however, observed, that it would be considered whether an additional two shillings a day should be given to any cavalry officer commanding a regiment.

General Tarleton explained.

The Secretary at War then moved an amendment in the estimate of the officers' widows, by which 100*l.* was deducted.

Colonel Wood did not know why such a grant to the officers of the army was made at all at the present time. It was so small that it would afford but little satisfaction to the army, and still was a great addition to the burdens of the country. It would not, therefore, answer the object which government had in view.

Mr. Windham said, that if we were to consider the discontent on the one side, and the satisfaction on the other, the result would be that we could do nothing. As to the satisfaction of the officers of the army, it was not done with a view to give them satisfaction. The object was the good of the service, as by this grant you might get many meritorious men who could not otherwise be got.

Colonel Wood explained.

General Tarleton said that his honourable friend (Colonel Wood) had objected to this increase at this particular time, when the army was so large, and when we were engaged in such a war. When peace came, and he hoped it

would be a glorious one, then the addition would be made. But if the pay was granted, it ought to be extended to the cavalry.

The Secretary at War explained, after which the amendment and the resolutions were agreed to.

Mr. Hansard, printer to the House, presented an account of the expence of printing the Indian papers from the 1st of April to the 30th of June. Ordered to lie on the table.

Lord Henry Petty moved the third reading of the auditors' bill.

Mr. Huskisson proposed a clause for remedying the defects of vouchers, which was adopted and added to the bill by way of rider. He then proposed another clause, which was rejected as interfering with the exercise of a proper discretion in the treasury.

Mr. Rose then proposed a clause, limiting the power of the treasury as to the charges on accomptants.

Lord Henry Petty opposed this, on the grounds abovementioned, and it was rejected. The bill was then read a third time and passed.

Sir C. Pole moved the second reading of the public harbour bill.

Colonel Wood said, that there was a great deal of private property connected with this bill, if it was to extend to all the navigable rivers, and care ought to be taken that no injustice should be done. But he would not oppose the bill till he saw what could be made of it in a committe. In the mean time he asked, whether it was to be confined to the harbours of Plymouth, Portsmouth, and Sheerness, or to extend as far as he had before stated?

Sir C. Pole said, that it certainly was not to be confined to the King's harbours alone, but to extend also to all harbours for commercial purposes; but it would not interfere in the least with private property, as the object was only to keep the anchorage at what it was, and this had been judged necessary from what had been observed of the embankments at Catwater.

Colonel Vereker wished that his honourable friend had not only proposed to prevent nuisances but also to remove them. He hoped he would introduce a clause to remove the two rocks that occasioned so much inconvenience at Limerick harbour, which might be done at the expence of 2000*l.*

Mr.

Mr. Huskisson said that this could only be done by a petition to the House.

Lord Henry Petty was well convinced of the importance of giving facility to the commerce of such a port as that of Limerick. But the thing proposed by the honourable colonel could not be done without a grant of money in the committee of supply, and to introduce it here was altogether out of the question.

Mr. Foster said that as the honourable colonel had now learned what was the most proper way to proceed in this business, he hoped he would not forget it the next session. The bill was then read a second time, and ordered to be committed the next day.

The Irish post roads bill was committed. Several amendments were proposed and adopted. Report the next day.

Lord Temple moved for leave to bring in a bill to regulate the business of pilots navigating the British seas. The necessity of such a bill, he said, was become as obvious as its utility must be important to the commercial interests of these countries, inasmuch as the losses sustained every year both of property and lives, in consequence of the business of pilotage being frequently undertaken by persons unlicensed, ignorant, and unskilful, loudly called for some such regulations as he intended in the bill. He did not mean to press it through the House at this late period of the session, but merely that it should be read the first and second time, and go into a committee, for such amendments as should immediately appear necessary, and then to be printed for the information of the parties interested, in order to such further suggestions as might be made, and to bring the measure forward in the next session of Parliament, in as perfect a form as possible.

Mr. Alderman Prinsep seconded the motion, and only regretted the absence of several members interested in commercial concerns, who he was sure, if they were present, would heartily approve the measure, and cheerfully join with him in returning thanks to the noble Lord for bringing it forward. It was not merely from the ignorance or unskilfulness of such pilots that the extensive losses in property and life, alluded to by the noble Lord, annually occurred, but from their combinations, their obstinacy, and their desire of extortion, in refusing to go out for the assist-

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ance of vessels in rough weather, or apparent danger, until they had made the most exorbitant stipulations with the mercantile interests in the different ports, for the reward of their services, by which means their assistance was often delayed so long as to come too late for the salvation of ship or crew. He hoped, therefore, the bill would include some measure of effectual regulation.

The motion was agreed to, and Lord Temple presented the bill, which was read the first time, and ordered for the second reading the next day.

Lord Henry Petty moved, that the reports of the committee appointed by the act of the 25th of the King, respecting the salaries and fees of officers and clerks in the different public offices, together with the appendix thereto, be printed for the use of the members. Ordered.

LORD NELSON'S FAMILY ANNUITY BILL.

Lord Henry Petty moved the order of the day, for the House to resolve itself into a committee, on the bill for granting annuities to the family of Lord Nelson; and, upon the question that the Speaker do now leave the chair,

Colonel Wood rose, he said, with considerable reluctance, to oppose a measure so congenial to the sense which the country entertained of the eminent services of that noble Lord, in remuneration of which these annuities were now proposed. But participating, as he did, most sincerely in those feelings, he could not, consistently with the principles he entertained, and his sense of duty as an individual member of Parliament, assent to so large an appropriation of the public money, in the present arduous circumstances. When he considered, that 3 or 400,000*l.* had been recently added to the public burthens, for an increase of pay to the army and navy, and that every class of society was loaded with imposts to support the exigencies of the country, he could not consent to the grant of the public money in any way not absolutely and indispensably necessary: and feeling, as he did, that an allowance of 5000*l.* a year had already been voted to the representative of the noble Lord who succeeded to his title, he thought it amply sufficient, without any farther allowance to his relations. Had the noble Lord himself been living to enjoy the public remuneration of his splendid services, he should not be the person to oppose a grant even to a much greater extent: but as the grant

now propcsed was not for the noble Lord, nor any of his lineal descendants, but for his relations, certainly very nearly allied to him, he could not think of increasing the grant already made, until at least some considerable reduction was made in the public debt of the nation, until it was brought down to 200,000,000*l.* from the 500,000,000*l.* at which it now stood. It would possibly be right for the House to have in view what Parliament had done in similar circumstances upon a former occasion; and the most apposite precedent which occurred to him was the case of the Duke of Marlborough, in the reign of Queen Anne, when in consequence of a message from her Majesty, on the 10th of June 1702, recommending to the House a provision of 5000*l.* a year for that nobleman, that provision was made. He then moved, that the proceedings on that occasion be now read from the Journals.

[The proceedings on the 10th of June 1702 were accordingly read, being the message received from her Majesty, recommending the important public services of the noble Duke, as well by his negociations, as by his splendid victories, to the liberality of Parliament; and also the subsequent proceedings of the 18th of the same month, in which the House voted an address in compliance with her Majesty's request.]

Colonel Wood was ready to allow that the services of Lord Nelson to his country were as splendid and important as those of the Duke of Marlborough, and that 5000*l.* a year at that day was a much greater sum in effect than the like sum at this; but then the comparative circumstances of the country in both periods were also totally different. In the former, we owed scarcely any national debt; now we had one of 500,000,000*l.* and until all that can be reduced, considering all the other circumstances of the country, and that it was not Lord Nelson who was to enjoy the reward of his services, he thought 5000*l.* a year amply sufficient; and when the reduction he mentioned should have taken place, he would have no objection to vote a much larger grant.

The Speaker observed, that the honourable gentleman's object could only be properly attained in the committee. He then left the chair.

Upon the House resolving into the committee,

Mr. Rose in reply to the statements of the honourable colonel (Wood) observed, that the grant now proposed,

bore no proportion to the allowances made to the Duke of Marlborough. For, independantly of the 5000*l.* a year, settled upon that illustrious person, no less than seven manors were granted to him by the Crown. The palace of Blenheim was also built for him at the public expence. Queen Anne had this building commenced, but the tory administration, towards the close of her reign, thought proper, most unworthily, to prevent its proceeding. Upon the accession, however, of George the First, 42,000*l.* which were found remaining due to the workmen employed during the former reign, were paid, pursuant to an act of Parliament, and the building was proceeded upon to its completion. The right honourable gentleman added, that he understood from the executors of Sarah, Duchess of Marlborough, that no less than 500,000*l.* were laid out from the public purse, for the buildings at Blenheim. But was the honourable colonel, when he made the comparison alluded to, aware of the amount of the revenue possessed by the Duke of Marlborough, at the time the pension was granted him? His Grace then had from the salaries and perquisites of various offices, no less than 40,000*l.* a year. Could it then be pretended, that there was any parallel between the case of the Duke of Marlborough and that of Lord Nelson? the one had an immense fortune which devolved upon his family; while, unfortunately, the other was in very different circumstances. The splendid services of Lord Nelson were not productive to him in pecuniary profits—No; for prize-money his receipts were insignificant. His proportion of prize-money even at the splendid battle of the Nile, was not more than 3000*l.* and this, from particular circumstances, was less than the sum which fell to the lot of many of his captains. Indeed the fortune of this distinguished hero was much less than could at all be supposed by any one unacquainted with the fact. For he could say, and it was now no breach of confidence to state it—that in the course of some communication which he had with Lord Nelson the very day before he last sailed from England, the noble Lord told him that all the property he had in the world did not exceed at the utmost 15,000*l.* and that his debts nearly amounted to that sum. When one then considered the nature of the noble Lord's services to this country, which, without meaning to depreciate the merit of any officer, he had no hesitation in saying were far greater than those of

any other officer the country had ever known, great even as the services of the Duke of Marlborough were, having that impression upon his mind, an impression indeed which was, as it ought to be, universally prevalent, the right honourable gentleman was surprised at the opposition made to a measure which proposed to grant merely sufficient to support the rank, dignity, and name, of this illustrious man. The right honourable gentleman repeated, that if the committee would compare the sums allowed to the Duke of Marlborough with that under consideration, he was sure that all objections must disappear.

Mr. Francis repeated his objection to his proposition, and maintained that there was this material difference between the case of the Duke of Marlborough and the present, namely, that the Duke of Marlborough was alive, and had children to inherit the public grant; while in this case, the proposition was to grant 120,000*l.* of the public money to the collateral branches of the noble Earl's family.

Colonel Wood and Mr. Rose mutually explained.

Mr. Hiley Addington thought it unnecessary to say any thing as to the merits of Lord Nelson, whose character it would be as difficult to exalt by panegyric as to depreciate by calumny. But, with respect to the measure before the committee, he observed, that it conveyed a proportion of reward for services of an unparalleled nature, far short indeed of that which was granted to the Duke of Marlborough.

Mr. Wilberforce remarked that if 5,000*l.* a year was, in the days of the Duke of Marlborough, deemed necessary to support the dignity of a Duke, that sum now, from the comparative value of money, was scarcely adequate to uphold the rank of an Earl. But he viewed this grant, altogether, not so much as a provision for the family of Lord Nelson, as a pledge of national liberality, held out to our navy to encourage an imitation of that hero's example.

Lord Henry Petty conceived that if any reference were had to the case of the Duke of Marlborough in order to apply that case to the measure before the committee, such application could only serve to suggest a considerable augmentation of the proposed grant. The expence of building Blenheim alone, it appeared, exceeded the amount of the provision contained in this bill. But independantly of this expence, and the other sums alluded to by the right

honourable

honourable gentleman on the other side (Mr. Rose), it was to be recollected that the family of the Duke of Marlborough still enjoyed a revenue of 5000*l.* from the Post-office, which was originally granted in consideration of the services of that distinguished officer. Of the sum which this bill proposed to allow, the noble Lord observed that 20,000*l.* were to be divided between the two sisters of Lord Nelson, who were, he was sorry to say, rather in limited circumstances, but who were the peculiar objects of that hero's care and affection, and both of whom he bequeathed to his country for that provision which it was not in his own power to leave them. Could that country, then, which he so highly served, hesitate to execute his wishes? *(a cry of hear! hear!)* After the deduction of the 20,000*l.* it was intended to apply the remainder of the sum mentioned in the bill to erect a splendid monument, which should transmit to posterity the fame of Nelson, and the services which he rendered to his country. With regard to the allusions which had been made to economy, he thought them inapplicable in this instance—economy, generally speaking, should meet with his warmest support; but the economy of reward for great public services, he should ever deprecate, particularly at a period like the present, when it was necessary to keep up the tone of the public force to a level with the dangers of the country; to excite men to emulate by the influence of this example. As to the remarks of the honourable gentleman (Mr. Francis) upon the propriety of granting the proposed sum to the collateral branches of Lord Nelson's family, he thought the argument had not the weight that honourable gentleman attached to it. For those objects being the objects of the noble Lord's solicitude, belonging to his family and bearing his name, were, from all those motives which suggest a reward of this nature, fully entitled to the consideration of Parliament. There was, perhaps, no desire that operated more powerfully upon the minds of many men, than the desire of founding a family; and perhaps there was no class of men among whom this desire formed a greater stimulant to action, or a higher object of ambition, than those who composed the officers of the navy. For what dangers did they encounter, what privations did they submit to, in order to communicate to others those means, those comforts and enjoyments, which they have

no opportunity of enjoying themselves? This feeling, which formed such a prominent feature in the character of a seaman, it was the duty and interest of Parliament to cherish and encourage—and what could serve as a greater encouragement to it than the example which this bill proposed, of Lord Nelson's merits laying the foundation of a distinguished family?

New clauses were introduced, to vest the money in trustees for the purchase of an estate, and that such money should bear interest until such purchase was made; also to enable Lord Nelson to charge such money or estate for his daughters; also to empower the trustees to lay out the money in exchequer bills or other government securities.

The House resumed, and the report was ordered to be received the next day.

Lord Temple brought in a bill to regulate the pilots and pilotage of vessels navigating the British seas. Read a first, and ordered to be read a second time the next day.

The oak bark bill was read a second time and committed for the next day.

The royal family annuity bill went through a committee, and the report was ordered to be brought up the next day.

Ordered, on the motion of Sir A. Wellesley, that an account should be laid before the House of the expence of printing all papers with respect to India, excepting those which related to the budget, distinguishing the time the several orders were made, and the nature of each order, exclusive of those presented to the House that day.

INDIA BUDGET.

The House resolved into a committee upon the India budget, and the debate respecting it was resumed.

Mr. C. Grant went into a long and minute detail on the state of the East India company; he contrasted the receipt and expenditure of the company, and observed, that from the deficiency of 500,000*l.* of the last year, a very considerable sum was to be deducted for political and military services. He concluded by drawing a very flattering picture of the company's resources, and that the balance, taking all its stock of every description, was much superior to every demand on the company.

After a few observations from Mr. Francis, with respect to Sir George Barlow,

Mr.

Mr. Alderman Prinsep rose in reply to Mr. Grant, and observed, that he knew not how far the speech and statements of the honourable ex-chairman of the India Company had tended to dispel the gloomy apprehensions which must have arisen from the result of the candid and perspicuous detail of the noble lord (Morpeth) on a former night. He knew not how far he might venture to calculate upon the impression he should endeavour to make on the committee, by the totally different view he should take of the magnitude and the causes of the company's present distress. But he felt it his duty first to apprize the committee of the nature and extent of the responsibility imposed upon the House and the country, by the act of the 33d of his present Majesty. No man after reading that act could entertain any other idea than that of direct partnership. By the 111th clause of that act, disposing of the profits of the company, it appeared—"that during the continuance of the exclusive trade, the net proceeds of the company's sales of goods at home, with the duties and allowances arising from the private trade, and *all other profits* of the said company in Great Britain, shall be applied and disposed of (after other preferences) in the payment of a sum not exceeding 500,000*l.* per year, into the receipt of his Majesty's exchequer, to be applied as Parliament shall direct."

Here, after quoting these words of the act, the honourable member proceeded to observe, that however equal this partnership might be in responsibility, the profits had been by no means equally divided: whilst the proprietors had been receiving 10½ per cent. per annum on their nominal capital, the country had been disappointed of every half-yearly payment, but two, of its stipulated proportion; and at the same time an enormous debt had been accumulating by the company, and an enormous expence constantly incurred by the state, in the protection of their commerce and dominions.

It had been admitted by the honourable gentleman who spoke last, that a responsibility for the India company of seventeen millions hung over England, at a time the most critical in her own financial affairs—a demand infinitely beyond the company's faculty of answering; the House and the country would therefore soon be called upon to make it good. A fresh and minute investigation was therefore now become necessary, and this at a time when the government ought to be wholly occupied in its own more immediate defence and support. The noble lord, it was true, had

had declared it to be the duty and intention of the commissioners for India affairs, to call the attention of Parliament to this subject at an early period of the next session. In the mean time, the honourable member conceived he was doing his duty to his country, however irksome and ungracious the task might prove, to dissect this cumbrous and anomalous mixture of imperial commerce and commercial dominion; to separate the capital actually absorbed by this commerce, from the mass of debts, payments, and assets, comprehended in the budget-statements annually laid before the House. For, if it should appear that any thing like his estimate of its amount was drawn from a capital wholly borrowed at interest, it would be utterly impossible to reject the conclusion he had so frequently pressed upon the House, that the trade had been a losing one to an immense amount, and was the principal cause of creating the India debt; and this fact would do away all the arguments of the honourable ex-chairman, which he had again adduced from an irrelevant statement of the interchange of property between India and Europe. The honourable gentleman had endeavoured to prove by it, taking three different views of the subject, that the company's trade was not indebted to the territories, or to the India debt. He should, however, now beg leave to distinguish what they had always studiously endeavoured to confound: to separate the trading capital from the resources of dominion; and, as far as the documents before the House would allow him, the capital required by the India trade, from that of China. He then proceeded to read an extract from the budgets of 1804 and 1805, reciting, as he proceeded, the points of reference. The advances for trade in the three presidencies, and Fort Marlborough, in 1802-3, were, he observed, upwards of two millions: while these cargoes were coming home, others were collecting at the presidencies, which employed two millions three hundred thousand pounds more.

Cash balances abroad on the 30th of April 1804, were nearly 600,000*l.* so that the India imports employed an active capital of five millions. At this period there were at home goods sold and not paid for, 1,150,000*l.*

Goods in England unsold (partly China and partly India produce) 6,440,000*l.* of which he should charge the India trade with one-half. This made India commerce amount to nine millions. With regard to the exports,

ports, the amount of the cargoes from England not arrived at their destination at the date of the quicks-tock accounts was - - - - - - - £. 3,580,000
Exports paid for exclusive of bullion - 1,200,000
Silver exported and remaining - - 820,000
Impress and war allowances on ships out - 450,000
which gave according to stock by computation in the whole - - - - £. 6,050,000

half of which belonged to India, so that the whole India concern absorbed twelve millions.

The China cargoes homeward-bound, he should estimate at three millions: those providing abroad, were no where stated; but on an estimate of 1803 and 1804, he should assume three millions, making, together, six millions. If to this he added the moiety above of three millions, deducted from the India account, the China capital would be nine millions; and the whole would form a mass of twenty-one millions sterling of active capital, absolutely employed in the joint commerce of India and China.

The honourable ex-chairman had next stated, as part of the dormant capital, the value of East India House, warehouses, &c. - - - - £. 992,000.
Dead stock purchased one hundred years since, and still remaining in the Company's accounts - - - 400,000

The total of these items, which, however, were not by any means all that might be charged to the trade, the committee would perceive, was upwards of twenty-two millions. He was aware that probably some of the items might be subject to dispute; he would, nevertheless, take what had been acknowledged; and he rather thought by the noble Lord near him (Lord Castlereagh) that the commerce of the East India Company required four capitals, or about twenty-four millions sterling.

Although India goods were paid for before manufactured, he believed many of the English goods exported were bought upon credit; and the bills drawn from India and China, the latter particularly, supplied this capital to a very considerable extent; but these deductions nothing invalidated his assertion, that the trade was carried on with a borrowed capital: for, where could it be shewn, that twenty-four, twenty-two, or even ten millions of real funds of the Company, were, or had been existing for many years back? The trade was carried on with borrowed mo-

ney, and the interest upon the loan made it a ruinous trade, and had occasioned most of the existing embarrassment. The honourable member then proceeded to complain of the very small portion of the manufactures of this country which this immense capital enabled the Company to export to India, and the inconsiderable British tonnage employed in this trade; the number of tons he stated to be not more than twenty thousand out, and the same home; and the merchandize for the last eleven years, by referring to the papers on the table, five millions, or, on an average, below 500,000*l.* per annum. Was this small and contemptible proportion of the national exports its natural share of the trade to British India;—to acquire and defend which, the mother country had made such sacrifices, and was in danger of being soon called on to make a sacrifice of 17 millions more? Was this a consideration sufficient to justify the exclusion of the rest of his Majesty's subjects from a free intercourse with the immense and populous regions within the limits of the Company's charter, extending from the Cape of Good Hope to Cape Horn, while neutral flags could range at large throughout the Pacific and Indian oceans, and derive encouragement and support to their rising and rival commerce and navigation from free and unlimited access to every one of the Company's establishments, whither they carried and sold unmolested, not only the produce of their own, but the manufactures of this country, and brought away in return the productions of India to meet us in every market of Europe and America? Not that he disapproved of their admission into the ports of India; the silver they carried had afforded considerable relief to the circulation: all he had ever claimed, was a right in British subjects to a fair competition with foreigners, in that part of the trade which the Company had neither faculty nor inclination to carry on.

It next became necessary to inquire into the fact he had asserted on the former night, with regard to the means which the company possessed of carrying on this limited commerce from funds of their own: a commerce which must from its very nature be ruinous, from the expensive manner in which the merchandize was conveyed, in ships larger than necessary, expensively fitted up, and constructed on principles which diminished their capacity for stowage of merchandize, on the plea of enabling them the better to act as ships of war. Four-and-twenty millions he assumed

assumed as the capital required to carry on this commerce: this capital he looked for in vain in the account of stock by computation; where, instead of finding any capital, he repeated with regret, the balance, if taken fairly, was considerably against the company. In this account, excluding the Company's capital, a balance was assumed of - - - - £. 6,181,267.
The Company's capital actually cost - - 7,780,000

So that the balance - - - - - 1,598,733
was the amount which, upon their own statement, the Company were minus.

The honourable ex-chairman had argued at considerable length against this mode of stating the account, and wished to compare the joint stock of a great public and chartered company with the capital of a private partnership or individual trader: but was there any analogy between them? The one was a public and joint stock, in which the subjects at large held transferable shares, always at market, and fluctuating in value according to the price of money, and the estimation or credit of the company. In the instance before the committee, this company enjoyed privileges guaranteed by Parliament; and possessed territories producing a princely revenue. Their stock, therefore, partook of the nature of the public securities of this country, pledged for the national debt; and was as much a public claim, as the India debt, or the bond debt of upwards of two millions at home: it came by no means under the description of the capital of tradesmen, which must always be applied to the payment of debts before they could be deemed insolvent, and is therefore properly excluded when a statement of their affairs is laid before their creditors. In this view of the subject, he would therefore ask, where he was to find the twenty-four millions required for trade? where else, but in the general assets of the stock account, in which a debt of thirty millions, mostly at India interest, made so prominent a figure. The interest of that debt was a charge upon the whole concern of revenue and commerce; and to exclude a proportion of that interest from the charges on the trade, was, he contended, contrary to the common sense and reason of mankind, whilst the admission of it totally abolished all the profit so vauntingly assumed upon the commerce at large.

Here he would ask the honourable ex-deputy chairman

behind him (Mr. G. Smith) who was, besides, a banker of the first eminence, his candid opinion of the stock by computation, taken without the capital, according to the honourable ex-chairman's statement, as the balance sheet of private traders, and which might therefore be considered as an exposition of the affairs of one of his customers in embarrassed circumstances, and calling on the banker of their firm for assistance. It was only considering millions as thousands, and the analogy would be complete. Before the honourable banker advanced any considerable sum, such as seventeen millions, he meant seventeen thousands, he was perfectly sure the honourable banker would sit down and minutely scrutinize the items on the credit side of this account. All the debts he would know must be answered, and probably to an amount beyond the statement, but he would naturally enquire what was the nature of the assets to answer them. Here the honourable member discussed several of the items of the stock account, up to March 1805. The first was a sum of - - - 1,207,560*l.* alleged to be due from government to the company. This he contended was not the case; it was a part of the national debt, consisting of consols, and standing in the name of the company, for which they had taken credit at par, valuing them at sixty: this item was overcharged in the sum of - - - - 483,024*l.* Another debt of government, for stores and supplies, which stood at 4,460,192*l.* had been, by a special commission, curtailed in the sum of - - - 2,089,392*l.* Another item which must come against the general assets, was a charge upon the Carnatic estate of 5,630,838*l.* under investigation, it was true, but substantiated abroad, under the register of the late nabob's creditors, and, as he believed, still running at interest.

To avoid much cavil on this item, he would strike off whatever should appear reasonable to any member of the committee; he would therefore call it only 4,000,000*l.* Here he must thank the noble lord (Morpeth) for his candour in producing a prospective estimate of the revenues and charges in India for 1805 and 1806, by which it appeared that the debts abroad on the 1st of March last, would be increased in the sum of 2,655,957*l.* (and this without any provision for investment).

The next article was it was true, a matter of estimate and opinion; it regarded the actual value of an item which

appeared in the quick-stock abroad, under the title of debts outstanding; and included advances for investment, arrears of revenue, loans to Rajahs and Zemindars (the Guicuwah Rajah among the rest), to no less an amount than 9,168,054*l.*; but would any man of business in the House, either financial or commercial, deny the honourable banker's claim to a considerable allowance for bad debts under this article?

Would two millions be too much to deduct from this item? (he here recapitulated the deductions) £2,000,000
483,024
2,089,392
4,000,000
2,655,957

The total therefore to be deducted amounted to the sum of -	£11,228,373
Which, when set against the balance in favour on the account before him, - -	6,181,267
Left a balance against of -	£5,047,106

There was indeed, as the last speaker had stated, a memorandum at the foot of the stock account, by which a sum of no less than 9,994,208*l.* was stated as the cost of buildings and fortifications, of plate, furniture, vessels, and plantations, since the year 1702; which the honourable ex-chairman had considered as an available asset against the alleged deficiency: he was very much surprised indeed to find this item adduced in the manner it had been; were it even valid, this sum, though nearly ten millions, would not square the account, when the company's capital, and the deficiency he had just proved, should be set against it. But really a single glance at the title of this account would remove every idea of considering it as a claim upon government, when the lease of the territory should expire. One column, amounting to nearly two millions, consisted of household furniture, farming-stock, and pleasure-boats, plate, and table-linen, of which articles the wear of a hundred years had not much increased the value. Of what nature were the buildings? Some of them forts, upon the great rivers, dismantled, or swept away by the change of current; others either levelled with the ground and rebuilt, or repaired at an enormous expence; others of the buildings had given place to the new, and if they pleased,

pleased, splendid palace, lately erected for the accommodation of the governor-general; an expence which, however it had been reprobated, the honourable member thought highly necessary and becoming. Would such items as these be admitted in a final adjustment between the company and the state; that state which had expended so many millions in effecting the acquisition of the territories, and protecting by its marine these commercial dominions? Was it nothing that the country was now actually deprived of the services of 25 of its own regiments; that two squadrons were maintained in the Indian seas; that Ceylon once, and the Cape of Good Hope twice, had been conquered, and retained, at an enormous expence; that a sum of three millions and a half had been paid to the company on this account since 1804, and a further sum of two millions was now under liquidation? If there must exist an *imperium in imperio*, while it existed, the subordinate empire ought at least to bear its own expences, of which these ought to form a part. The hon. member therefore totally rejected this item of ten millions. Would an exposition, such as this now appeared, if made by an individual, induce any banker to enable him to continue the concern? The honourable member for his part declared that he could not see how it was possible to continue this system, cumbrous and unprofitable as it was. Time would perhaps shew what was to be done; or he might learn from the noble lord who had lately presided at the India board, how the company were to go on without having recourse, as on former occasions, to the aid of Parliament; to its partner in this concern. For himself he could see no other justifiable mode of affording that relief, than a previous examination into their affairs, and a resolution to separate the revenues from the trade. As to the hope expressed by the honourable ex-chairman, that their affairs would recover during a long period of peace in India; it was with regret he stated, that the best-informed men on the spot were by no means sanguine in this particular, neither would the peace continue, nor could the savings be made. By an honourable general's calculation of the immediate savings on a peace establishment, 740,000*l.* were expected to be saved in the first year; but would that keep down even the interest of their enormous debt? would it afford any resource for investment? might not that balance be absorbed

by

by unforeseen contingencies, or arrested to pay off unstated claims in the winding-up of the last war accounts?

The noble lord and the committee must see, by this statement of facts, deduced from documents on the table, and authenticated by the company themselves, how utterly impossible it was any longer to support this anomalous mixture of trade and dominion, unprecedented, except in a solitary and calamitous instance, that of the Dutch East India company, whose fate he need not call to their recollection.

The honourable member observed, that he was utterly at a loss to suggest any remedy to the distress already existing, much less to point out the means of continuing the company's trade, even on its present contracted scale. For he would state to the noble lord an important fact, and he hoped it would convince him it was high time to check the present system. The faculty of borrowing abroad was at an end; and the ships of the company were actually loading home with private goods at 29*l.* per ton, for want of the regular investment, while the company for this very tonnage were paying 60*l.* making this prodigious and unnecessary sacrifice for the sake of prosecuting their favourite plan of excluding the ships of individuals, who could gain by navigating on still lower terms than what is exacted upon private trade. In this way neutrals were suffered to encroach upon our natural intercourse with India, and to nourish, at our expence, their maritime power and commercial importance. How long was the merchandize of the private trader to be reluctantly brought home at this immense loss, and a fair competition between imperial commerce and the exertions of British merchants withheld?

So confined was the trade of the company, that it visited no shores but their own, while the neutral flag, as he had already remarked, ranged unmolested, and even encouraged, from the Pacific to the Indian ocean, and thence to every other part of the globe.

But what pressed immediately on the committee, was the present distress of the company, and the inevitable call on Parliament for relief; how far the country was bound to answer that call, would appear from Mr. Dundas's letter to the directors, at the discussion respecting the renewal of their charter, wherein he expressed his opinion that the debts of

of the company must accompany the territory into whosoever hands it might fall.

Whether the debt had accrued from losses in trade, or from territorial expences, the Committee would now judge; for his part he agreed perfectly with the honourable general (Sir A. Wellesley), in his statement of the subject, and that investment, not war, had swelled the debt to its present magnitude. His own great object in this long detail was to warn the noble lord of the responsibility of the country. At present he would make no motion, but would content himself with the promise of the noble lord, that an investigation would soon take place. Certainly such was the situation of things, that strong and decisive measures were become necessary; when the disorder was violent, strong remedies must be administered.

With regard to the right and extent of interference on the part of government, he should merely quote the authority of a great statesman just leaving the world, distinguished for having asserted the rights of the British flag, and who now, after a long and illustrious career, and already sinking into his grave, had yet vigour enough to compose by his expiring lamp an address to his Sovereign on the intricate subject of coinage, which work would add to his already acquired fame as a political economist. The words were to be found in a pamphlet on the conduct of Great Britain to neutral nations:—

"The rights of mankind admit of different degrees, and whenever two of these come into competition, the lowest in the scale must give place to the higher.

"Each man hath a right to perform certain actions, but if the destruction of another should follow from them, would not this be a just cause of restraint?"

How far this high authority applied in the present case, he must leave to the noble lord to determine; certain he was, it would have its due weight in the consideration of this important subject.

He felt grateful to the Committee for this indulgent hearing, and would no longer trespass on their attention.

Lord Castlereagh was fully aware of the difficulties under which the East India company at present laboured. He nevertheless was very far from entertaining in his mind that gloomy view of the company's affairs which had been drawn by the worthy alderman who had just sat down. On the

the contrary, he was well convinced that if the company's affairs were vigorously conducted, it would not be long until they would reach as great a state of prosperity as the most sanguine wishes of any friend to the interests of the company could reasonably entitle them to expect. For the accomplishment of this great object he would recommend that the general state of the company's affairs should undergo the most ample investigation before a committee. The result, he was confident, would be highly favourable to the company. But at the same time that he was convinced, from his knowledge of the affairs of the company, that a committee which had it in view to obtain a correct statement of the debts, assets, and revenue of the company, must necessarily draw inferences favourable to the company, as he had before stated; still he most clearly saw that something was wanting for the present to be done for the assistance of the company. To attain this great and most desirable object, he would recommend that a loan should be raised under the sanction of Parliament, not that he could by any means suppose that there could be any hesitation or doubt of the solvency of the company, but that he saw how much more advantageously a loan would be raised under such circumstances, than if the company itself was to go into the market for that purpose. Before Ireland was united to this country, it was the uniform practice with the English Parliament to include the loan for Ireland in one general vote along with that which was given for this country. By the adoption of such a system, the company would gain what they most particularly wanted, an extension of their capital, and the public would have considerably better security than they could now possibly have, as, from the profits to accrue from such an extension of capital, there would be a sinking fund for the total and speedy extinction of the whole debt.

Dr. Laurence then caught the chairman's eye, and was entering into a consideration of the subject, when

Mr. Robson rose to order, and moved that the House be counted.

The gallery was then cleared; when only 31 members being present, an adjournment took place.

HOUSE OF LORDS.

WEDNESDAY, JULY 16.

In the appeal "Chamley *v.* Lord Dunsany and others."

Mr. Perceval was heard for the respondents. Farther hearing the next day.

The royal assent was given by commission to the Scots distillery bill, the vote of credit bill, the Irish customs bill, the Irish prizage bill, the Greenwich chest bill, the Greenwich hospital bill, the Portsmouth and Dover works bill, the training bill, the militia ballot bill, the oil of vitriol bounty bill, the Westminster buildings bill, the postage bill, the Irish poor bill, the Newfoundland fishery bill, the grain interchange bill, the quarantine bill, the land tax commissioners mistake bill, the Paddington canal coal bill, the Irish road bill, and seven private bills.

The commissioners were the Lord Chancellor, Earl Spencer, and Lord Walsingham.

The slave ship restriction bill, the Irish school commissioners bill, and the nabob of the Carnatic creditors bill were read a third time and passed.

The amendments made by the House of Commons in the insolvent debtors bill were taken into consideration and agreed to.

Mr. Hobhouse, and several other members of the House of Commons, brought up the woods and forests regulation bill, the Windsor forest bill, the auditors' bill, Lord Rodney's annuity bill, the stage coach bill, (ordered to be printed) the land tax exemption bill, the warehousing bill, the Irish revenues bill, the Irish hops bill, and some private bills, which were read a first time.

The orders for committing this day the Scots forfeited estates bill, and the Scots treasury chambers bill, were, on the motion of the Earl of Lauderdale, discharged, and the bills ordered to be printed.

The linen drawback bill, the ordnance lands bill, the chancery clerks' bill, and the seamans' families bill, were read a second time, and committed for the next day.

The masters' in chancery bill, the Irish militia service bill, the volunteer officers' rank bill, the Gibraltar and Malta trade bill, the silk bounty bill, the sugar bill, the French wines bill, the gunpowder importation bill, the masts bill, the raisins bill, the excise laws bill, the Innkeepers allowances bill, the Irish quit rents bill, and the bankrupt laws bill, passed through committees, and were reported.

Adjourned.

HOUSE

HOUSE OF COMMONS.

WEDNESDAY, JULY 16.

The House having, in pursuance of a message by the deputy usher of the black rod proceeded to the House of Peers, the Speaker on its return announced that the royal assent had been given by commission to several public and private bills.

The pilots' bill was read a second time and committed for the next day.

The bill to protect the public harbours, &c. and the oak-bark bill, severally went through a committee, and the reports were ordered to be brought up the next day.

The London additional force bill, the Irish postage bill, the Nelson annuity bill, the royal family annuity bill, the malt duty bill, and the receiver general of the customs regulation bill, were reported, and those bills were ordered to be read a third time the next day.

The land tax redemption amendment bill, the warehousing goods bill, the woods and forests surveyors bill, the Windsor forest bill, the Irish hops importation bill, the Grenada loan bill, the lottery bill, and the stage coach bill, were read a third time and passed.

Upon the latter, Sir John Sinclair took occasion to observe, that the provisions of this bill did not appear to go far enough to satisfy the wishes of the public. But yet it formed an additional arrangement to those already existing, which he hoped would operate to diminish the evils complained of, as to the number of passengers, particularly outside, upon stage coaches, and the general conduct of the drivers and guards of such vehicles. The honourable baronet added, that this bill was only meant to be temporary, and that he would, very early in the next session, call the attention of the House to this subject, in order that endeavours should be made to establish a more eligible system.

Mr. Caley presented, pursuant to order, a return from the commissioners appointed to examine the public records of the country. Ordered to lie on the table, and to be printed.

Mr. Glover, from the commissioners of customs, presented an account of the number of ships, and their tonnage, which have, within a certain time, cleared out for

the coast of Africa, from the several ports of this country. Ordered to lie on the table, and to be printed.

Mr. C. Wynne brought up the third report of the commissioners appointed to examine the civil affairs of the navy. Ordered to lie on the table.

The House having resolved itself into a committee upon the consolidated fund bill,

Mr. Vansittart moved a clause of appropriation.

Lord Folkstone observed upon that part of the account in which it appeared that 41,010*l.* 6*s.* had been paid for the discharge of Mr. Pitt's debts, although the words of the address voted by the House upon this subject contained these precise words, "a sum not exceeding 40,000*l.*"

Mr. Vansittart remarked upon the insignificant amount of the difference alluded to by the noble lord, and stated, that this difference might be considered the result of the order, that no deduction for fees should be made upon the sum originally granted.

Lord Folkstone said, that to overlook such a difference would be to establish a precedent, tending to justify the minister in exceeding the grant of that House, in applying a sum of the public money beyond that which Parliament or that House might authorize. The noble lord also noticed some incorrectness in casting up the accounts, upon which this bill was founded.

Mr. Vansittart referred the noble lord to the journals, in which he would find a similar difference to that of which he now complained, and that in the case of the illustrious Chatham, which difference was afterwards sanctioned by the House of Commons.

After a few other remarks from Lord Folkstone and Mr. Vansittart, the resolutions were agreed to, and the report was ordered to be brought up the next day.

Ordered, on the motion of Mr. Paull, that the accounts which were ordered on the 22d and 24th of April, and the 12th of May last, relative to India, should be laid before the House forthwith.

Mr. Paull observed, that the papers, the expence of printing which was the preceding day moved for, were, he thought, included in his motion upon the same subject. However, he was glad that the honourable general had, in his absence, taken occasion to supply the omission.

Sir A. Wellesley stated his reasons for the motion referred

red to, to be simply that the total expence of the printing should be at once before the House.

BARRACKS.

Mr. Robson rose, pursuant to notice, to call the attention of the House to the accounts on the table, with respect to the expenditure of the public money in the barrack department. In times like the present, when the national expenditure was no less than one million and a half weekly, when the national burthens were rapidly increasing, and likely to increase still farther, he did not think it necessary to make any apology to the House for attempting to occupy its attention upon the subject of the flagrant abuses, which he had no doubt of being able to shew existed in the department to which his motion would refer. It was now nearly two months since he had felt it his duty to mention this subject in the House, but at that time he was by no means so well acquainted with the mal-practices which had prevailed for these ten years past, as he had since become. He was now fully satisfied that the statement he before made was even below the fact. The House would recollect, that, when he brought the business forward, many gentlemen seemed to doubt the correctness of his information; and that in consequence of such doubt, he received a check that was calculated to discourage the prosecution of his object; but no such check should ever avail to restrain him from the performance of his duty, or to damp his feelings in the pursuit of the public good. However, notwithstanding this check, it turned out immediately afterwards that the rectitude of his pursuit was recognised even by those from whom the check proceeded. —For the noble lord (H. Petty), whom he now saw in his place, but a few days afterwards, brought forward precisely the same motion which, when proposed by him, was rejected. But at the time of that rejection, he was fully persuaded that the noble lord was not at all aware of the enormous abuses that were going on, and it was but justice to that noble lord to say, that he immediately afterwards applied himself to a diligent investigation of the subject, and the result of that investigation was, that the noble lord found the case much worse than it had been described by him; in consequence of which discovery, the noble lord took the course already alluded to, and did him the honour of copying his motions. Now it turned out that the

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rent of the barns which he before referred to, and which were hird for the use of the soldiery in the Isle of Wight, were some time since reduced to one half of that for which they were originally let; yet such was their value, that he could assure the House, that were a farther reduction of one-half their present rent to take place, as it must, there would still be paid for them even double more than they were worth. But he had to state that a great many more buildings of a similar description, let on similar terms, had undergone no reduction whatever. If the House would turn their attention to this matter, they would meet in every step of their enquiry, circumstances equally calculated to excite their surprize and indignation. Gentlemen would hardly believe that 200*l.* a year had been paid for shells of barns in the Isle of Wight. In referring to this part, he took merely a single speck of the barrack accounts; for, in order to avoid confusion, he did not mean at present to extend his investigation to the whole of the barrack accounts, which were confessedly the most confused in Europe *(a laugh)*. Therefore he should confine himself, in illustration of the cause of his motion, to Sandown Bay barracks, respecting which he was possessed of the most satisfactory information. But yet the communications he received were such as impressed him with the propriety of extending his motion to all temporary barracks, and it would appear astonishing to the public, that many of these barracks, although hired and paid for by the week, were often actually unoccupied for a considerable part of the year. To expose such improvident conduct, such scandalous waste of the public money, and to prevent its continuance, was the object of the motion which he should have the honour of submitting to the House. The honourable gentleman concluded with moving —"That there be laid before this House, a return of all the buildings of every description rented or hired by government, and used as barracks or places for lodging, or containing officers and soldiers of the army, or of persons and horses attached to the army; that the said return do embrace every building which has so been rented, or hired, and so used, in the whole of Great Britain, between the 1st day of January, 1793, and the 24th of June, 1806: That the said return be exhibited in fifteen columns, placed in the order and containing the several heads here following, viz.: 1st. The date of the year and of the month and day

day when each building respectively was taken; 2d, The county and parish in which such building is situate; 3d, The name or phrase describing the building; 4th, The number of officers that are, or have been, generally quartered or lodged in the building; 5th, The number of non-commissioned officers and men, and of horses, that are or have been generally quartered or lodged in the building; 6th, The name of the proprietor of the building; 7th, The name and rank of the officer or person by whom the building was take on the part of government; 8th, The weekly rent or hiren or of the buildiug; 9th, The weekly rent or hire of the building; 10th, The name and rank of the officer or person, or officers or persons, through whose hands the rent, or hire, has been paid to the proprietors of the building; 11th, The time when any alteration (if any) in the rent or hire of the building was made; 12th, The weekly rent or hire of the building, subsequent to such alteration; 13th, The yearly rent or hire of the building, subsequent to such alteration; 14th, The time when the building was given up, if not now occupied by government; 15th, The account of the whole of the sums which have been expended in repairs upon the building; and the said returns do exhibit all the names and descriptions of the said buildings, following one another in due chronological order, the building first taken by government standing first, and the building last taken, standing last.

Lord Henry Petty did not mean to object to this motion, the object of which was to communicate information to the House. On a former occasion he stated his opinion, that various abuses prevailed in the barrack department, and the only question in his mind was, whether the House should take up the investigation of the subject, or leave it those commissioners to whom, for its own convenience, it had thought proper to delegate the power of inquiring into subjects connected with the military expenditure? A report was expected from this commission the next day; and for himself he must say, that were he in the circumstances of the honourable mover, he should certainly wait the result of that report before he brought forward any motion of this nature. But yet, as the honourable gentleman was of opinion that no report from the commission alluded to, could be at all calculated to remove his inducement for submitting this motion, he had no objection to second it, being anxious to furnish the House with every information that

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could be desired, as to any branch of the public expenditure.

The Secretary at War said, that as his noble friend had thought proper to support this motion, he should not object to it. At the same time he must observe, that he saw no parliamentary grounds for it, while the effect of it would be to subject to great trouble an office which was already very much pressed by business. The honourable mover was of late in the habit of bringing forward, from time to time, motions of this description, without stating any specific object that he had in view. He did not state that he meant to ground any proceeding upon such documents; nor did he seem disposed even to acknowledge that such documents, when produced, did not bear out the censures which generally accompanied the introduction of his motions. Such was the case with regard to the abuses complained of in the Isle of Wight. For although the papers on that subject had been some time before the House, the honourable gentleman had indicated no intention of taking any further proceeding upon them. It no doubt appeared from those papers, that considerable abuses had been committed in the district alluded to. Barns were hired for the use of his Majesty's troops, originally at a very extravagant rate, but that was owing to the circumstances under which they were taken. It was at the time when a descent of the enemy upon our coast was generally apprehended; and some general officers pointing out the spot referred to by the honourable mover, a place material to be promptly chosen for the lodgment of troops, the officers were at the mercy of the owners of those barns, or buildings, who, of course, exacted their own terms. But the earliest opportunity was taken for the reduction of these terms. This reduction was, he understood, asserted to occur in consequence of the suggestion of a barrack-master, for having dismissed whom, he had fallen under the displeasure of some persons. But the fact was not so; for the reduction was recommended by Major Davis; and, on account of that recommendation, took place previous to the dismissal of the officer referred to. There were, the right honourable secretary observed, several insinuations thrown out by the honourable mover, against respectable gentlemen; and though such insinuations did not appear to proceed from much deliberation, they might do mischief to the characters of men who were not present to defend themselves. Such conduct upon the part of the honourable gentleman was, he must say, by no means becoming. It was incum-

bent upon him, either with a view to justice or liberality, to learn both sides of the case before he attempted so publicly to implicate the reputation of men. Imputations of a serious nature should not be cast upon light or mere *ex parte* statements. But to return to the barrack-master so much talked of (Atkins), it was said he was guilty of no malpractices.—That, however, upon the communications made to him, he could venture to contradict, for the representation upon which he was induced to order his dismissal, charged him with various peculations and exactions practised upon the owners of the barns and barracks under his superintendance. Indeed, he was charged, or rather convicted, according to the report laid before him, of the meanest exactions, such as taking poultry, pigs, and such things, from those people. This report, the right honourable secretary observed, that he received from the barrack-master general, whose duty it was to investigate such a case, and upon whose report it was, he understood, the duty of the Secretary at War to act, unless where a suspicion of partiality or injustice should induce that secretary to order a further hearing. But in this instance he felt no suspicion, nor did he ever hear of any thing in the conduct of the present barrack-master-general that would warrant such a suspicion. The right honourable secretary repeated his question, as to what was the ulterior object of the honourable gentleman in proposing motions of this nature. He rather thought that matters of this kind had better been referred to the commission of inquiry. Indeed, there was one paper moved for by the honourable gentleman which was specially referred to that commission, and which commission was, of course, deemed even by the party complaining, the fittest tribunal for the investigation of the case to which it referred.

Mr. Robson vindicated his conduct from the charge of improperly introducing this business to the consideration of Parliament. It was absurd, in his opinion, to wait for the decision of a commission to which the right honourable secretary seemed so anxious to refer. For that commission had, in the course of thirteen months, brought forward only one report, which might be prepared in a week. Five officers were referred to in these inquiries: and the barrack department, according to the evidence of Mr. Wadman, was alone such that its accounts could not be investigated in less than three years. Why then talk so much of such a com-

mission, which must, according to the act appointing them, cease to exist in about a year and a quarter? But the conduct of those commissioners was such as, independantly of the period of their existence, must destroy any hope of celerity in their proceedings. For the fact was, that although so liberally paid, they delegated all the trouble to another set of commissioners. The honourable gentleman called the attention of the House to a clause in the act which forbade those commissioners from making any retrospective inquiry, unless "they thought proper;" and he mentioned a case where a man who was proceeding to tell them of some former abuses, was stopped, and told that they did not mean to carry their inquiries beyond the present year. But recollecting the discoveries made by the commissioners of naval inquiry, his great object was to go back, and to trace the abuses in the military department higher than those commissioners were willing to go. His desire was to fish out the source of abuse, and if possible to remove it.

Mr. James Martin was glad to see this business taken up by his honourable friend. The public had too long submitted to be pillaged, and they had borne it more than they ought. But like the eel in the joke, it appeared as if they were so often skinned that they did not feel it.

Mr. Paull dwelt upon the circumstances connected with the dismissal of Atkins, and stated that he was an officer of distinguished merit, who was recommended to his late appointment by Mr. Windham. But Atkins discovered abuses, and one of those men of the name of Ward, whose rent for a barn was reduced from 200*l.* to 120*l.* a year, made an affidavit against Atkins, which affidavit led to his dismissal. Atkins was indeed always pronounced an honest man, until he exposed frauds upon the public, and then he was discovered truly to be a dishonest man, and dismissed without any opportunity being allowed him of defending himself against the charges alleged against him.

Mr. Canning asked whether the fact stated by the hon. member was the cause of the dismissal of Atkins?

The Secretary at War answered in the negative, and referred the right honourable gentleman to the affidavit on the table, which would explain the cause to be as he had stated it.

Mr. Windham said, that he only recommended Atkins because he found him distressed.

Mr. Bastard wished the honourable member to extend his

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inquiry to permanent barracks, in the erection and repairs of which, the grossest abuses were committed, and which still were in general incapable of affording any thing like comfortable accommodation.

The Secretary at War stated, that Atkins had an opportunity of defending himself before the barrack-master-general.

After a few words from Mr. Paull, Mr. Hobhouse, and Mr. Bastard, the motion was agreed to.

Mr. Robson did not suppose the Secretary at War capable of dismissing the barrack-master alluded to, or any other man, without reasons sufficient in his own mind to justify the act. He had no disposition whatever of imputing any thing culpable to the right honourable secretary. The honourable member proceeded to state the object of his motion, which was to save the public money; and he was satisfied that he could suggest a mode of preventing the expenditure in this department of no less than 500,000*l.* a year. After a few other preliminary observations, the honourable member proposed the following motion:

"That there be laid before this House a return of the canteens, or houses for vending beer and liquors, which have been set up at the several buildings rented or hired by government, and used as barracks, or places for lodging, or containing officers and soldiers of the army, or of persons attached to the army: That the said return do include every such canteen in the whole of Great Britain, existing between the 1st of January 1793, and the 24th of June 1806. That the said return be exhibited in eight columns, placed in the order, and containing the several heads, here following: viz. 1, The county, parish, place, or station, in alphabetical order, in which the canteen is, or was situate: 2d, The date of the year, month, and day of letting each canteen respectively; 3d, The name and rank of the person, or persons, who let the canteen: 4th, The name of the person or persons who rent, or rented the canteen: 5th, The weekly, or annual rent of the canteen: 6th, The name and rank of the person or persons, through whose hands the rent has been received on the part of government: 7th, The name, or phrase, descriptive of the building so let as a canteen: 8th, The number of non-commissioned officers and men generally quartered or lodged in the several

ral buildings, used as barracks, to which the canteen is, or has been attached."

Mr. Paull, who wished to go into an explanation of what he stated upon the former motion, but was prevented by the Speaker, seconded the motion.

After some remarks from Mr. Windham, Mr. Rose, and General Fitzpatrick,

Mr. Robson, in reply, stated that the barracks at Sandown formed a nest for smugglers, in which beer and spirits were sold without payment of duty, and asserted that the rents for canteens, of which very little reached the government, would pay the whole rent of the temporary barracks.

The motion was agreed to.

Mr. Robson then rose and said, that there was now no occasion for him to say any thing to preface the motion which he was about to submit to the House. He was however tempted to read some extracts from the paper which he held in his hand (the memorial of Mr. John Pritchard), but they were so scandalous that he thought it might be as well to forbear. There was one, however, which was deserving of the particular attention of the House. Mrs. Parker, it appeared, a favoured friend of Major Lewis, took a house, the property of Mr. Barton, of Newport, for a family, from London, as she said, at the rent of 20*l.* a year. By the advice of Major Lewis she let this house as a mess-room, and lodgings for officers, at 70*l.* a year, though it was of no use for one-third part of the time for which it was taken. The owner remonstrated with her for the trick which she had played him, but she replied, that every body was robbing government, and she was resolved to have a little in the scramble. The motion which he was about to make was, for an account of the manner in which the manure of the cavalry barracks was disposed of. The money derived from this might pay the rent of the barracks. He concluded by moving,

"That there be laid before this House, an account of all the money received, on the part of government, for dung, ashes, dust, straw, sweepings, or other things, being articles of manure, and arising from the several buildings rented or hired by government, and used as barracks, or places for quartering, or lodging of officers, soldiers, or horses of the army:—That the said account do embrace all the sums on such score received, in the whole of Great Britain,

tain, between the 1st of January 1793, and the 24th of June 1806:—And that the said account be exhibited in seven columns, placed in the order, and containing the several heads here following, viz.—1st. The parish, place, or station, in alphabetical order; 2d, The date of the year, month, and day, when such article or articles were begun to be sold as aforesaid; 3d, The name or names of the persons to whom sold; 4th, The sum, or sums received; 5th, The name or names of the persons through whose hands the said sums have been received on the part of the public; 6th, The time when such sale ceased (if so), stating the cause of cessation; 7th, The number of non-commissioned officers and men, and the number of horses generally quartered, or lodged at each station respectively."

This motion was rejected.

Mr. Windham said that if the honourable gentleman behind him (Mr. Paull) wished now to state the misrepresentation to which he alluded, he believed that, though not strictly regular, he might be allowed to do it.

Mr. Paull said that he did not think it necessary to trouble the House any further on the subject at present.

A message from the Lords stated their lordships' assent to the Bloomsbury-square improvement bill, the insolvent debtors' bill, the Nabob of the Carnatic's debts bill, the Irish schools bill, and slave trade shipping bill.

MILITIA OFFICERS' PAY BILL.

Mr. Windham moved the third reading of the militia-officers' pay bill.

Mr. Perceval observed, that the reason why he had given notice, the preceding day, of his intention to take the sense of the House on the third reading that day, was with a view to have a fuller attendance; the material objection to the bill, which he had before stated, was the lateness of the period at which it was brought forward. Considering that the militia had till now been on the same footing, as to pay, with the army; that most of the militia officers were now absent on other duties; that not one of those who remained had voted with ministers on this question, while several voted against them; and that two servants of the public, the one paymaster of the forces (Temple) and the other a person belonging to the ordnance, both officers of the militia, had opposed the bill, he thought the House ought to pause before it assented to it. He was sorry that he did not see those

those persons now present. But still he must give as much opposition to this impolitic measure as he could. He had already stated the inexpediency of bringing forward such a measure at this late period of the session. The only argument which was urged for departing from the established system was the point of economy, which, in this instance, was quite paltry, and setting the lateness of the period out of the question, it was not such as to make it worth while, on this account, to run the risk of giving dissatisfaction to the militia officers. But when we are at war, and in possession of the services of these men, it was impolitic to give them dissatisfaction; and we had it from the militia officers themselves, that this increase would do so, not on account of being refused the additional pay, but on account of the invidious distinction made between them and the line. He thought the objection of an honourable colonel (Bastard) very strong, when he stated that injustice was done to the militia, for when they entered they might, as the law stood, take it for granted that they should always be kept on a footing with the line, and might in justice now claim their discharge. When the prize-money was taken from the seamen, it was said they had no right upon this to claim their discharge, as they had been pressed. He did not think that the engagements even with them should be violated on that account, but this however did not apply to the present case. He then went on to state that he saw no reason why the seven pence a day given to the soldiers in the line who had served seven years, should not be extended to the militia. At all events, it ought to be extended to the non-commissioned officers, who were on the same footing as those in the line. He also objected to the bill, because it gave ministers the power of doing as they pleased on this subject, either to give or withhold pay at their option, and this was the reason why an honourable colonel had said that it put the militia more in the power of the Crown. This measure totally altered the nature of the militia system, and was a breach of parliamentary faith. The right honourable gentleman seemed indeed to admit this to a certain degree. It was a breach of faith, but a little one. He was somewhat like the lady who owned that she had had a natural child, but then it was a very little one. This measure ought at least to have been proposed in time of peace. He concluded by moving that the word "now" be left out, and that the words "this day three months" be substituted.

Lord Folkestone, though he supposed it would be a material objection to the gentlemen on the other side, that he was not a militia officer, must still assert his opinion on the subject. He maintained that there was no reason whatever for any dissatisfaction on the part of the militia officers, for they suffered no injustice. The field officers and captains were, by law, required to have certain qualifications, which rendered this additional pay unnecessary. Besides, they could not reasonably expect to be put exactly on a footing with officers of the line, who gained rank through toils and dangers, while they immediately attained their rank on account of their property. The old mistaken principle had been departed from already, and, besides, it was a quite different service He would, therefore, support the bill.

Sir W. Elford put the noble lord right as to the point of rising gradually to the higher ranks. This was the case in many regiments of militia as well as the line. He himself, and several others of the higher officers in his regiment, had been subalterns. It was dangerous to innovate on the relations between the different kinds of force when there was no ground for it but this paltry economy.

Mr. Alderman Prinsep was sorry to oppose any measure of government relative to the national defence, but when a measure was proposed affecting the constitutional rights of any body, and with such clauses as these, leaving so much to the discretion of ministers, he could not give his assent to it. The period at which it was brought forward was also an objection, and to this was added the dissatisfaction which would be felt by the militia officers at a distinction of this sort. This was very impolitic in time of war.

Mr. Secretary Windham said, he was not sorry that the gentlemen on the other side had taken an opportunity of renewing this discussion, as he felt convinced, that the more the subject was discussed, the more it would be generally approved of. The lateness of the session was, to be sure, an argument that told well in so thin a House; but it should be recollected, that this was not a substantive argument, and there ought to be some other reason assigned for opposing any measure. If it were contended, that there was any great constitutional principle, which required that the two services should be exactly placed on the same footing, he must deny that doctrine. There were already distinctions between the services sufficiently marked. The regular officers had half-pay, when the militia had not;

and the militia officers were required to have qualification, which the regulars had not. The militia officers might perhaps have some reason to complain, if any regulation ex ending benefits to every other branch of the service were to be withheld from them. That was not, however, the case in the present instance. A distinction was also made between the infantry and the cavalry, and the distinction was founded on the same reason, merely that the latter description of officers did not stand so much in need of the addition, and that if an addition was to be made to the pay of those who were not in need of it, there must be a diminution to the allowances which the liberality of the House was called upon to give to those officers who were in need of the addition. This was the principal reason for making exceptions, and the exceptions did not extend merely to militia field-officers, but to those of the cavalry and the Guards, who certainly could not consider this distinction meant as a slight to them. As to the alleged breach of faith, it was the strangest thing he had ever heard asserted, that the legislature was so bound by any of its own acts, that it would be a breach of faith even to alter it. Would any person consider it a breach of faith to make an alteration in the mutiny law, even to make it more severe if necessary? Would any body suppose, that it would be a breach of faith to the army to alter the discipline of one part of it and not of another? As the militia was always to subsist in some shape or another, therefore, on those grounds, it might be argued to the end of time, that it would be a breach of faith for the legislature to make any objections. It would be a breach of faith to do it in time of peace as well as in time of war; and yet the hon. and learned member (Mr. Perceval) was himself the person to propose its being done in time of peace, and not in time of war. If, then, he considered that it was a great breach of faith in time of war, and only a little one in time of peace, the story of the lady and her "*little* natural child" was only applicable to the argument of the hon. and learned gentleman, and he might have done better to have kept it to himself. The exceptions were not so much made upon the ground of economy, as on the ground of justice. It was but justice to the regular officers to give what was absolutely necessary for them. If this increase was not considered so necessary to the militia, they should rather consider it as an honourable distinction, than any sort of ill treatment.

Mr. C. W. Wynne supported the arguments of Mr. Windham, and observed, that the principal argument on the other side of the House, that the militia officers were injured by the arrangement prescribed in this bill, was a total mistatement, and a complete inversion of the fact: for how could the militia officers, who suffered no diminution of pay, be injured by a small increase of pay to the officers of the line? They in fact would sustain no injury whatever, and he was confident, would feel none, notwithstanding the arguments of gentlemen who assumed to advocate their cause; but whose arguments reminded him of a petition of the celebrated Lord Chesterfield to his majesty for a pension, professing, "that it was purely for the honour of it, and not for any pecuniary consideration."

The question being now loudly called for on the third reading of the bill, the House divided,

Ayes	35
Noes	24
Majority for the bill . . .	—11

Colonel Mitford then proposed an amendment purporting to recognize the principle of equal pay to the militia and the line, as an established and general rule, but enabling his Majesty, in certain cases, to increase the pay of the line; which amendment was, in effect, rejected upon the question, without a division.

On the question being put, that the bill do pass, another discussion arose.

Colonel Bastard utterly disclaimed, on the part of the militia field-officers, any pecuniary consideration, and was convinced that, if necessary, they would cheerfully volunteer their services without pay. It was the degrading distinction drawn by this bill which they felt severe. So far were they from being actuated by mercenary motives, or any jealousy towards their own subalterns, any more than towards officers of the line, that, with respect to the former, they even relinquished a very considerable portion of their pay in the expences of the regimental messes, in order to render the situation of the subalterns equally comfortable with their superior officers, often at less than half the expence; and with respect to the latter, he was confident they would be glad of a much greater increase of pay, if the circumstances of the country could afford it.

Mr. Canning rose once more to resist the passing of this

bill, and to say, that if his Majesty's ministers persisted, at this late period of the session, in so thin a state of the House, in the absence of almost the whole of the country gentlemen connected with the militia, and with the votes of every militia officer in the House decidedly against them, with a majority of only eleven votes, to force down a measure subversive of a principle coeval with the militia institution from its very first establishment, he trusted the circumstance would go forth strongly marked to the notice of the country. He then adverted to the comparative allusion made by the honourable gentleman who last spoke, to the petition of Lord Chesterfield: he said the honourable gentleman had charged the volunteer field-officers, who resisted this measure on behalf of their establishment, to have honour in their mouths but money in their hearts. He was glad however, that the honourable colonel near him (Colonel Bastard) had, as it behoved him, vindicated the honour of the militia field-officers from such an imputation: and although, supposing the majority of eleven to be still in the House, it would be useless to call for a second division, he should give to the last his decided resistance to the bill.

Mr. Wynne rose to explain that part of his speech to which so unfair an allusion had just been made, and to observe, that the right honourable gentleman possessed a most happy facility at misconception, whenever it answered his purpose. In the allusion he had made, he had not the most distant intent to throw any such imputation upon the liberality and honourable feelings of the militia field-officers; he merely meant to refute the absurdity of the arguments of those who affected to advocate their cause, and who assumed to do so by implicating their liberality.

Mr. Canning rose to explain, but was called to order from the chair; and after a few observations from Colonel Mitford, the question that the bill do pass was put, and the House again divided:—

Ayes - - - - - - - -	43
Noes - - - - - - - -	21
Majority - - - - -	22

The bill was then passed, and ordered to the Lords.

INDIA BUDGET.

Lord Morpeth rose and moved to postpone till Friday the further consideration of the India budget.

Mr.

Mr. Robson felt it his duty to call the attention of the House to this most important subject, and to express his astonishment that affairs of so much vital importance to this country, as those of India, were to be discussed in such thin houses as this business had hitherto been. Whether the India Company were to be continued by a renewal of their charter or not, their affairs ought not to be treated with so much levity, with so thin an attendance of members, and more especially without the attendance of his Majesty's ministers. Their affairs, as he was taught to understand, were in a most embarrassed and deplorable situation, almost, indeed, upon the brink of ruin. It was declared in that House, that a loan to an inconceivable amount would be requisite to support them; but whether this was to be a loan of seven millions or seventeen millions, or what not, he thought the subject was one of too much importance to be discussed in that house, without a full attendance of members; and, by the blessing of God, as he never would leave it in the power of his Majesty's ministers to say he did not attend, he would make it a point of taking any measure to stop the proceedings in every stage, unless there was a fuller attendance, and more especially of his Majesty's ministers.

Lord Morpeth wished to know, upon what authority the hon. gentleman stated that a loan would be wanted for the India Company? He certainly had made no such statement in bringing forward the company's affairs; nor did he hear any such thing mentioned by any of his Majesty's ministers in that House.

Mr. Grant also disclaimed, on the part of the company, the representation of their affairs made by the honourable gentleman, and which he could not suffer to pass uncontradicted. He knew nothing of any loan proposed or desired by the company: they stood not in need of such assistance; nor did he hear any thing of any such proposition with which their authority or wishes were connected: a noble lord, indeed, near him (Castlereagh), in his speech the preceding night, had thrown out a suggestion, that a loan of five millions might be desirable for the accommodation of the company, but this was a mere suggestion in the course of speech, wholly unauthorized by the company.

Mr. Paull defended the conduct, and approved the determination expressed by his honourable friend (Mr. Rob-

son), and hoped he would persist in his endeavours to obtain a full attendance of members, upon every discussion on Indian affairs: for notwithstanding the declaration just made by the hon. ex-director, it certainly had gone forth that the company's affairs were in a desperate situation. It had been said, not by himself, but by a worthy alderman opposite to him, that they were in a state of bankruptcy; and although the noble lord's suggestion of a loan in his speech the preceding night, might not be admitted by the hon. ex-director as an official authority upon the point, yet his hon. friend had a right to consider such a declaration, coming from the noble lord, as good authority upon a subject, namely, the situation of the company's affairs, in which the noble lord's own character and safety were so deeply interested; for it was no secret that the noble lord's conduct in those affairs was likely to become the ground of very serious charges from an honourable member of that House, who now filled an extensive space in the public eye.

The question being put, was agreed to, and the House adjourned.

HOUSE OF LORDS.

THURSDAY, JULY 17.

Lord Loftus (Marquis of Ely) took the oaths and his seat.

In the appeal "Chamley v. Lord Dunsany and others," Mr. Perceval and Mr. Richards were heard for the respondents. Further hearing the next day.

Mr. Hobhouse and several other members of the House of Commons, brought up the royal family annuities bill, the Irish postage bill, Earl Nelson's annuity bill, the London additional force repeal bill, the lottery bill, and some other bills, which were read a first time.

The militia service bill, the volunteer officers rank bill, the sugar bill, the silk bounty bill, the masts bill, the raisins bill, the gunpowder importation bill, the innkeepers' allowances bill, the Gibraltar and Malta trade bill, and the Masters in Chancery bill, were read a third time and passed.

The Earl of Limerick moved the order of the day for taking into consideration the resolutions in the House of Commons, relative to the examination of Peers before the House,

House, not being Peers of Parliament, which being a matter of privilege, strangers were excluded.

AMERICAN INTERCOURSE BILL.

The discussion lasted for upwards of two hours. When we were re-admitted, we found

Lord Hawkesbury speaking on the 3d reading of the American intercourse bill. His Lordship deprecated any departure from those principles on which our navigation laws were founded, and to which we were indebted for our maritime superiority, and our greatness as a nation. He did not mean to contend that there might not be cases in which, from necessity, the general principle of our navigation laws must be departed from, but the present was not such a case; and if an investigation was allowed to take place, he pledged himself to bring forward merchants of the highest respectability, who would declare that such a measure as the present was wholly unnecessary. He objected that this bill was brought forward, and all investigation refused. He thought also, that the measure was rendered worse by enacting it for an indefinite period; it would be, in his mind, much better to limit the period of its duration to the 1st of July 1807, as in the mean time an investigation of this important subject might take place, and Parliament become acquainted with the real state of the question.

Lord Holland contended that nothing more was meant by this bill than to vest that power in the privy-council which had heretofore been exercised, contrary to law, by the governors of our West India islands. That the power of allowing our West India islands to be supplied from America, should be lodged somewhere, was demonstrable from the fatal effects which a contrary policy, that of restricting our colonies to a supply from this country had produced in those islands, when resorted to soon after the termination of the American war. This power, he contended, could no where be better lodged than in the hands of his Majesty's privy-council, who were responsible for the exercise of it, and who were more likely to be influenced here by British interests, than the governors in the West Indies, who, from their situation, were necessarily subject to be operated upon by local influence. He was astonished at the opposition this measure met with in all its stages, particularly from those who had sanctioned the governors in the West Indies,

Indies, in continually violating the law from necessity, for the purpose of admitting a supply into the West Indies from America, and who thought this of so little consequence, that they neglected for three or four years to pass any bill of indemnity.

Lord Eldon maintained that there was a material difference between indemnifying the governors in the West Indies for those acts, and passing an act of Parliament to legalize the principle. The great object of our navigation laws was to preserve our maritime superiority, and they should not lightly be departed from, as it should be remembered that when our shipping and mariners were decreased, those of other nations would be increased; and that if, in the event of a peace, there was not employment in our mercantile shipping for the numerous seamen who would be discharged, many of them might enter into foreign service.

Earl Spencer defended the bill, which, he contended, had nothing to do with the general principles urged on the other side, it being only to give a power to the privy-council, to allow the importation of certain articles from America into our West India islands, in case of necessity, and in order to prevent any ill effects arising from the precarious nature of a supply restricted wholly to this country. It did not, however, prevent supplies from being sent from hence in British shipping.

Lord Hawkesbury moved an amendment to limit the duration of the bill to the 1st of July, 1807.

The Earl of Lauderdale thought the amendment extremely inconsistent with the arguments urged on the other side, as it went to acknowledge a principle of supplying the West Indies from America, whether in war or in peace, whilst the bill, in its present shape, only went to the necessity of doing so in time of war.

After some further observations from Lord Eldon and Lord Holland, the amendment was negatived, and the bill read a third time and passed.

The remaining bills on the table were forwarded in their respective stages, and the House adjourned.

HOUSE OF COMMONS.

THURSDAY, JULY 17.

The right honourable T. Grenville took the oaths and his seat for the borough of Buckingham.

Mr. Woolford, from the treasury, presented an account of the addition to the public funded debt, subsequent to the act of the 25th of the King. Ordered to lie on the table.

The London additional force repeal bill, the malt duty amendment bill, the royal family annuity bill, the Irish post-roads bill, and Lord Nelson's annuity bill, were read a third time and passed.

The printer to the House of Commons presented an account of the expences of printing all the papers relative to Indian affairs, with the exception of those relative to the nabob of Arcot's debts and the budget, during the present session, with the dates of the orders and the time they were delivered. Ordered to lie on the table, and to be printed.

Mr. Meheux, from the India Board, presented papers relative to the charges against Marquis Wellesley, pursuant to order of the House. Ordered to lie on the table, and to be printed.

The consolidated fund surplus bill, the public harbours bill, the customs regulation bill, and Macdowal's estate bill, were reported, and ordered to be read a third time the next day.

The oak bark penalty suspension bill was reported.

Lord Folkestone, notwithstanding the lateness of the period at which this bill was brought forward, wished to make a few observations upon it. The object of the bill was to suspend the operation of certain penal provisions respecting the management of oak bark. The interests of many persons were concerned in this, and they had been allowed no opportunity to examine it, and state their objections, on account of the suddenness with which this bill had been brought in and carried forward. Had it not been for this, the table would have been crowded with petitions against it. There had been no prosecution under this penal statute for 40 years, and the origin of the bill was this:—A person in the county of Hants who dealt largely in this article, had managed the concern in a manner that gave offence, and occasioned inconvenience to certain rivals in trade. They commenced a prosecution against him for those penalties, so that the bill might be called a bill to protect him from this prosecution, for this appeared the real reason of its being brought before the House. Now, he thought that the

the House should pause before it passed a bill upon such a slight ground as this, for suspending a penal statute. He hoped, therefore, that the bill would be delayed, as the persons who brought it in were not present, or that some member would feel himself authorised to put it off for the session.

Mr. Byng said, that the noble lord who brought in the bill being absent, a satisfactory answer could not at present be given; but if the noble lord on the other side would state his objections on the third reading, he would, no doubt, have such an answer, as the nature of the case required. The bill was then ordered to be read a third time the next day.

The pilots' regulation bill was committed and reported. The report ordered to be further considered that day se'nnight, (put off till next session.)

The crown lands lease bill was ordered to be read a third time the next day.

An account was presented, pursuant to order, of the offices and salaries annexed thereto, which are held by certain members of the royal family; of which account, as far as we could collect, the following is a copy:

	£.		
The Prince of Wales, as colonel of the 10th dragoons	1,085	17	6
The Duke of York, as ranger of Windsor Forest, rated at	40	0	0
Allowance for fire-wood, &c.	11	0	0
For New Lodge, &c.	30	0	0
As Commander in Chief	3,371	1	3
For first regiment of Guards, rated	668	0	0
As Colonel of the 60th regiment	238	0	0
The Duke of Clarence, for half-pay	730	0	0
For Bushy Park	128	9	8
The Duke of Kent, first regiment of foot	775	12	6
As Governor of Gibraltar	3,643	0	0
The Duke of Cumberland, as colonel of the 15th regiment	1,085	17	6
As Lieutenant-general on the staff, &c.	1,348	8	6
The Duke of Cambridge, as colonel of the Coldstream regiment of guards	668	5	7
The Duke of Sussex, as lieutenant-general on the staff	1,348	8	0
The Duke of Gloucester, ditto	1,348	8	0

The account was ordered to lie on the table.

Mr. Moore brought up the report of the Committee appointed to examine the minutes of the evidence taken in 1804, upon the subject of a petition from the journeymen calico-printers; and the following resolution of this Committee was, according to motion, read by the clerk at the table:

"That it is the opinion of this Committee, that the matters in dispute between the masters and journeymen in the calico-printing trade might be amicably adjusted, inasmuch as they possess the means amongst themselves, as will be found amply and circumstantially detailed in the report, and that time be allowed to effect the same, with a view to preclude those legislative provisions, for which, otherwise, it will be indispensably necessary to apply in the next session of Parliament."

The report was ordered to lie on the table, and to be printed. Adjourned.

HOUSE OF LORDS.

FRIDAY, JULY 18.

In the appeal Charnley v. Lord Dunsany and others, Mr. Richards was heard for the respondents. Further hearing on Monday.

Strangers were, for a short time, excluded, whilst the House again discussed the matter of privilege, which was under discussion the preceding day.

On our readmission we found

The Bishop of Winchester speaking on the third reading of the philanthropic society bill. His lordship objected principally to the enactment in the bill relative to the appointment of a chaplain to officiate in the chapel of the institution without the consent of the rector of the parish. He concluded by moving to postpone the third reading of the bill for two months.

A conversation of some length ensued.

Lord Eldon and the Lord Chancellor supported the objections urged by the Bishop of Winchester, and maintained that the rights of the rector as established in a general principle of law ought not to be invaded.

Earl Spencer entered into a description of the nature and objects of the institution, which he contended was an establishment calculated to produce the most beneficial effects

to the community. He thought the appointment of the chaplain sufficiently guarded for every purpose that could be wished for the sake of the interest of the church.

The Bishop of St. Asaph supported the arguments of Earl Spencer; and the Bishop of Ossory supported the motion.

On the suggestion of Lord Eldon, the Bishop of Winchester withdrew his motion, and the bill was read a third time.

Lord Eldon then moved an amendment for the purpose of rendering the consent of the rector necessary to the appointment of the chaplain to the institution. This was supported by the Bishop of Winchester and Lord Redesdale, and opposed by Earl Spencer.

After some further conversation the House divided.

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The numbers being equal, the amendment was negatived, and the bill passed.

The bankrupt laws bill was read a third time and passed, with an amendment, proposed by Lord Redesdale, for the purpose of more effectually preventing frauds.

The ordnance lands bill, the chancery clerks bill, the linen drawback bill, the seamen's families bill, and the Bell-rock light-house bill, were also read a third time and passed.

Mr. Alexander, and several other members of the House of Commons, brought up the charitable institution bill, the consolidated fund bill, the public harbours bill, the customs regulation bill, and the oak bark bill, which were read a first time.

The royal family annuities bill, the lottery bill, the militia officers pay bill, Earl Nelson's annuity bill, the Irish postage bill, and the London additional force repeal bill, were read a second time and committed for the next day.

The wood and forests regulation bill, the auditors' bill, the Windsor forest bill, Lord Rodney's annuity bill, the stage-coach bill, the warehousing bill, and the Irish hops bill, passed through committees, and were reported.

Colonel Drinkwater, from the commissioners of military inquiry, presented the second report of that board, which was ordered to lie on the table, and to be printed.

Adjourned.

HOUSE

HOUSE OF COMMONS.

FRIDAY, JULY 18.

Mr. Closs, from the commissioners of military inquiry, presented the second report of that board. Ordered to be printed.

A gentleman from the commissioners for Westminster-bridge presented their annual account. Ordered to lie on the table.

Mr. R. Mitford, from the commissioners of northern light-houses, presented an abstract of their accounts.

The receiver-general of the customs bill, the crown-lands lease bill, and the oak-bark bill, were severally read a third time and passed.

Mr. Sheridan gave notice of a motion for Monday, relative to the estates belonging to the Crown in Westminster, for the purpose of improving the capital.

A person from the tax-office presented an account of the salaries to the commissioners for the redemption of the land-tax.

PUBLIC HARBOURS BILL.

On the motion for the third reading of the public harbours bill,

Sir William Elford admitted that it was a bill of great public concern, and one, to the principle of which no man could object; but, when he looked into the body of the bill, it was impossible not to perceive, that every person who had property on almost every river and stream in the country, must, by its operation, be subjected to great inconvenience, in so far as it went to prohibit the erection of any embankment, jetty, or any work whatever, in any harbour, or on any river, rivulet, or stream, connected with the same, without giving notice to the admiralty. This, he was afraid, would be found a great hardship, as there was hardly any running water which was not, in some shape or other, connected with the sea, and of course with some one harbour or other.

Sir C. Pole stated, that all that was required was notice of any intended erection. If not interdicted, the party giving the notice would then have power to proceed without farther delay. This, he submitted, was not too great a sacrifice to be made for the sake of averting what might

be detrimental to the anchorage, and of course, to the commerce, of the country.

The bill was then read a third time. On the question that the bill do pass, some farther conversation took place, and .

Mr. Foster moved that the bill be confined to Great Britain.

This, however, was passed from, and words were introduced limiting the restriction to all public harbours, and "every river communicating therewith, so far as the tide flows up the same."

The bill was then passed, and ordered to be carried to the Lords.

BARRACKS.

The Secretary at War rose to move for some papers in the barrack department, in order to disprove the assertions made by an honourable member (Mr. Robson) the evening before last. He accordingly moved for an account of the disposal of the sums received by the barrack-master-general for rent of canteens, at the several temporary barracks, and also for manure sold therefrom since 1798.

Mr. Robson thought it most extraordinary, that it happened of late, that the very papers which his Majesty's ministers opposed, and refused, when called for by his motions, should, in an evening or two after, be moved for by themselves. This was the case some time since, with regard to a motion made by him for papers in the barrack department, which was resisted by the noble Chancellor of the Exchequer, and yet he himself, two nights afterwards, moved for the very same papers. Two evenings ago, he had moved for the very papers now called for by the right hon. Secretary at War, and in the very same words, and his motion was refused. If his Majesty's ministers persisted in this kind of conduct, it would have with the public a very odd appearance.

The Secretary at War said it was not his wish to have opposed any of the motions for papers made by the hon. gentleman, on the night he alluded to, and he had so avowed himself. The motion he made the House had thought proper to negative; and if the honourable member had thought fit to divide the House upon the question, he should have had the honour to have divided along with him.

Mr.

Mr. Robson said, he had another motion to bring forward on this subject on Monday evening, preparatory to which it was his wish, with the indulgence of the House, that the report of the committee of military enquiry, laid that night upon the table, and ordered to be printed, might be allowed to lie on the table for another day, that he might have an opportunity of perusing it. If not, he must bring forward his motion in the best way he could without it. If the report was sent to the printer's, it was of such voluminous extent, that it could not be finished before the House would break up, and would not, of course, be seen by the members until next session. But his object was to put as speedy a stop as possible to the system of peculation still going on, instead of suffering it to proceed, and turning to retrospective considerations in the first instance.

The Speaker informed the honourable gentleman, the report had been ordered to be printed, and it was not customary when such an order was made, to interpose any delay, without the special order of the House.

Lord Henry Petty hoped the honourable member would have no objection to signify the nature and object of his motion for Monday.

Mr. Robson answered, that as he never wished to bring forward any matter of this nature, without being grounded on statements made to him upon affidavits, he was not yet prepared to explain particulars. His object, however, was to detect and expose a system of the most flagitious peculation still going on in the barrack department.

The Secretary at War laid on the table some copies of affidavits produced at the War Office, in vindication of the conduct of Mr. Atkins, late barrack-master of Sandown, Isle of Wight, pursuant to an order made on Mr. Robson's motion on Wednesday.

Mr. Paull hoped those papers would be printed for the perusal of the members, in order to vindicate the conduct and the honour of a much-injured gentleman, of whom, though he knew nothing personally, yet he knew his character; that he was a gallant officer, and had served with high distinction in the West Indies last war; that he had received his appointment as barrack-master at the Isle of Wight, in consequence of a very high recommendation of his character and services to his right honourable friend, the secretary for the colonial department; that he had conducted himself without the slightest blemish to his conduct or charac-

ter

ter in that department, until he had disclosed to the head of it the peculations he had discovered, and solicited to be removed from Sandown to some other place, when he would make still more ample disclosures of delinquencies which came to his knowledge; then, and not before, charges were made against him by the party who had been injured in consequence of the discovery he had made; and he was dismissed without any opportunity being allowed him for his vindication, without being heard in his defence, or confronted with his accusers, as he had intreated. [Here Mr. Paull read a copy of a letter from Mr. Atkins to the Secretary at War, acknowledging the receipt of his letter of dismissal, expressing his astonishment, and requesting to be confronted with his accusers; and the secretary's answer, declining that proceeding, and alleging it not to be the usage of the office.] Mr. Paull added, if this gentleman was to be dismissed for only making a disclosure which he conceived to be his duty; if others were not also dismissed upon the same ground, it must be considered a severe hardship and injustice inflicted upon an unfortunate gentleman with a family of six children, and to whom he thought some reparation ought to be made.

The Secretary at War answered, that it was to the barrack-master general, and not to him, that Mr. Atkins ought to have appealed; and that the papers produced would contradict almost every word which had been alleged by the honourable gentleman.

Mr. Robson thought it extremely severe and unjust to have punished Mr. Atkins upon the affidavit which was alleged as the ground of his dismissal, without hearing him in his defence, and when there were three other affidavits in direct contradiction to that upon which he was dismissed.

The papers were ordered to be printed.

A message from the Lords intimated their lordships' concurrence in the West India American intercourse bill, the Irish militia bill, the Irish quit rents bill, the masters in chancery further allowance bill, the sugar and silk export bounty bills, the excise law amendment bill, the Irish gunpowder bill, the Irish bottled French wine import bill, the American mast bill, the Gibraltar and Malta American trade bill, the inn-keepers' military subsistence bill, and several private bills.

Sir Arthur Wellesley moved for the production of some further

further India papers, in defence of Marquis Wellesley, which were ordered.

Lord Henry Petty moved the usual allowances, at the end of every session, to the chairman of the ways and means, the principal and assistant clerks, the serjeant at arms, and clerk of the journals, which were agreed to.

PUBLIC DEBT.

Mr. Johnstone moved the order of the day for resuming the debate upon the subject of the public debt, which order being read,

Mr. Johnstone observed, that the resolutions which he had to move upon this subject differed so little from the state of the public debt, as laid down by the noble Chancellor of the Exchequer, and agreed so closely with his statements in all the general results, that it was hardly worth troubling the House by going into a minute detail upon the subject. There were, however, one or two points which called for observation. On the commencement of the present war, a hope had been pretty strongly stated on the other side of the House, by an honourable gentleman, that the war might be carried on without any new increase of the public debt; and yet it now appeared, that notwithstanding the ample increase of revenue which had been voted as war-taxes, and the new heavy burthens imposed upon the country, the public debt had been increased seventy millions within the last four years, although the product of the war-taxes within that time had exceeded their estimates by two millions. He did not wish to expatiate farther upon this subject now, in the absence of the honourable gentleman (Mr. Vansittart) who had held out to the House and to the country this flattering hope, which he (Mr. Johnstone) foresaw at the time was not likely to be verified. Another subject for observation was, that, notwithstanding the productive success of the war-taxes, and the very advantageous loans that had been made since the commencement of the present war, yet comparing the four years of the present war with the four last years of the preceding, it would appear, that the loans made in both were very nearly equal; for in the former the sums borrowed in four years was sixty-nine millions, and in the latter sixty-seven millions, while the quantity of stock at market remained still pretty much the same. Mr. Johnstone then proceeded to move his resolutions; the first of which was, that

that the public debt of the nation, on the 1st of March 1803, was 567,008,917*l.*

Lord Henry Petty felt it unnecessary to say any thing on the subject of the general resolutions of the honourable gentleman, as they so nearly accorded with the statement he had himself made; and with respect to the accumulation of the public debt, in consequence of the exceedings of the war expences beyond what was originally conjectured, he had only to say, that it must have been impossible to state more than mere conjecture as to what might be the probable expences of a war, in the outset of which the possible chances and events, and consequently the true expence of which, it must be impossible for human foresight to calculate upon any scale of accuracy: added to this, however accurate such calculations might be, they must be founded upon the rate of things as they stood at the time; but every one must know, that by the extraordinary and unexpected rise upon every necessary of life, and almost every article of supply since that time, and the total change of character the war had assumed, especially in the late unfortunate campaign upon the continent, expences had accrued to an extent which it was equally impossible, in the outset, for human wisdom to foresee or to avoid.

Dr. Laurence made a few observations to the same effect, and said the objections of the honourable gentleman would be best answered by the reply quoted in a classic author upon a similar occasion, "that war was a devouring animal, and would be restrained by no prescribed regimen."

Lord Henry Petty then moved to postpone till Monday the further consideration of the remaining resolutions.

INDIA AFFAIRS.

The House having gone into the committee for the further examination of the Indian accounts,

Mr. Tyrwhit Jones put a question to Lord Morpeth, about a balance of 600,000*l.* due to the company on the part of government.

Lord Morpeth referred to his former statements.

Mr. Johnstone stated, that by the report of the commissioners appointed to examine the claims of the company on government, it appeared that two millions and a half were then due to the company. Two millions had since been paid by government, but the remaining half-million appeared still unaccounted for.

Mr. Jones said, that he was not present at the statement of the noble lord (Morpeth), which he regretted much, as he understood it was very clear and perspicuous, but he wished to know whether the company's accounts were settled or not? He then put several questions to the noble lord, respecting various points of his statements.

Dr. Laurence spoke to order. He thought it contrary to the rules of the House, that, when the question for their determination was only respecting a single year, any member should think himself at liberty to ask all manner of questions. When the debate was disposed of, he certainly might find opportunities enough of asking the noble lord any questions he might think proper.

Mr. Hobhouse (the chairman of the committee), considered that it was the custom upon India budgets, for the member who brought them forward, to take a very wide range into the general situation of the affairs of India, preparatory to moving his first resolution, and that therefore it was allowed to other members, to take a considerable latitude in speaking upon that question. As to the right of asking questions, he believed the rule was this: every member had a right to put questions, but the person to whom they were put, might answer them or not as he thought proper.

Mr. Jones said, that if the learned doctor wished to make a speech upon the subject himself, he should sit down with pleasure. He was prepared to meet him on every point which he had stated, and as the learned doctor was so full of brevity, the House would no doubt be very much delighted with hearing him. If this was not the proper time to put his questions, he should take another opportunity.

Dr. Laurence said, he might take whatever opportunity he pleased, and he need not expect that he would meet him on any of his points.

Mr. Paull considered that the statement of the noble lord (Morpeth) was the only full and honest statement the country had had of the affairs of India from any minister for the last twenty-two years. He contended, that the deficits of the years 1804 and 1805, amounting to six millions, together with a loan of four millions, would make it necessary to raise ten millions in the course of 1807, to defray them. He wished that an honourable gentleman, (Mr. Johnstone) had, instead of directing his mind to the

general finances of the country, rather confined his attention to the affairs of India, with which he was so well acquainted. He would have done the country more service in giving his information on the financial situation of the company, than in bringing violent charges against his Majesty's ministers for having (most properly, as he thought) recalled Sir George Barlow from India. He was sure that it was never before considered, either in Europe or in India, that Sir George Barlow was fit for any thing more than the temporary government of India. He thought the governor-general ought to be a man of rank and character in this country, and not a servant of the company, and that his Majesty's ministers acted perfectly right in recalling him. After paying high compliments to administration and the noble lord (Lord Morpeth) for laying the first honest account of the finances of India before Parliament, he pointed out some particulars in which he thought the statements were erroneous.

Lord Castlereagh expressed some surprise at the patience with which the hon. and learned gentleman (Dr. Laurence) listened to this discussion about Sir George Barlow, and to the compliments paid to ministers, without thinking it necessary to speak to order, especially as he had made a speech of two hours and a half in length, on a former night, in which, no doubt, he never wandered in the smallest degree from the point then before the House.

Mr. T. Jones hoped that he would not be thought pertinacious, but he wished to be allowed to make a few observations, as he stood pledged in some degree to the House on this subject. He had, in 1801, stated that the debt of the company was 20 millions. This had now clearly turned out to be the fact. He had then met with a great deal of opprobrium, and was asked to have patience. He had had patience, and the result was, that the company, as had been stated by an honourable alderman (Prinsep), was on the eve of bankruptcy, and that their debt was nearer 40 millions than 30. He was therefore fully justified in what he had said, and the persons at the India board, whether they were called comptrollers, or any thing else, would soon, it appeared, be only the assignees of bankrupts.

Mr. Johnstone said, that there was no danger of a bankruptcy. He would not enter upon the particulars of he accounts, however, as it was painful to him to look at the

situation of the company. But that situation was still not so gloomy as it had been represented by the honourable gentleman. As to the loans, he hoped the persons who held them would renew their engagements. But he deprecated the transferring them to this country, and warned the directors not to ask such a thing of Parliament, for the minister of the day would be strongly tempted to grasp at a share of the patronage, which would be dangerous to the liberties of this country. He begged the House to consider what would be the consequence of a patronage over 3,000,000*l.* sterling, in addition to what was already possessed by the government. Any inconvenience of trade was better than that the minister should acquire such an extraordinary power. He meant this as no particular reflection, but mentioned it as applying to any minister. As to the case of Sir George Barlow, his opinion was unaltered. Even though what the honourable gentleman (Mr. Paull) had said should be correct, still his observations were proper. Ministers had gratuitously appointed him on the 26th of February, and removed him 14 days after. Now, why was he appointed at all, if it was in contemplation to remove him so soon? All the powers of governor-general would have remained with him by devolution till the appointment of a successor, except the power of exercising the highest functions of the office without the consent of the council—a power so extraordinary, that it had never been exercised. The charge therefore remained in full force.

Sir Arthur Wellesley observed, that the loans which the honourable gentleman (Mr. Paull) stated would become due in 1807, would, in fact, not be due till 1809-10. In the Mahratta war, the expences had been great, but the services had also been great, and in no instance was there so much service at less expence. The sinking fund in India had had great efficacy in keeping down the discount on the government securities, and in enabling the company to obtain loans at low interest, and in fact they had of late obtained them at 8 per cent.

Mr. Paull observed, that they had not obtained them at less than 14 per cent. and accounted for the honourable general's mistake, by stating that more than two-thirds of the loans were made at Lucknow and Benares, and the security given on the Calcutta rupees, which were of a

higher value. He adverted to the charter of the company, and contended that they were indebted to government in the sum of 5 or 6 millions, and that government had a right to seize upon their buildings, plate, &c. &c. for the debt. It was not to be supposed, that they were to have their charter for nothing.

Sir Arthur Wellesley explained.

Mr. Alderman Prinsep agreed with the honourable general, that the sinking fund lowered the rate of interest in India, but could go with him no further.

Mr. Grant observed, that as to the claim of the 500,000*l.* a year from the company, it was only to be paid out of the surplus revenue of the company at home; and the late minister, who was sufficiently desirous of finding out any resource that could assist the supplies, was convinced that, under the circumstances of the case, the claim could not be substantiated. He admitted that the credit of the company had been improved in India, and that loans were made at a lower rate of interest. But the reason was, that better security was given. Instead of bonds in India, payable at a very late period, Marquis Wellesley had given security in England. He thought this, however, a very improper mode of proceeding, as it subjected the company to sudden and large demands, and besides, it was too great a power to entrust to any Governor, who might use it as a resource, when he had large views, to the detriment of the company. The government at home ought, indeed, to restrict the governor-general on this point. As to saying that the directors had approved of this because they were silent, he would not enter upon this. The fact was, they had long endured many things of which they did not approve. But he certainly was of opinion, that the giving this sort of security ought not to be formed into a system. With regard to the exchange between Lucknow and Calcutta, he was inclined to agree with the honourable gentleman over the way (Mr. Paull). The exchange between Madras, the several presidencies, and Calcutta, was very expensive; and what with that and the bonuses, he would venture to say, that those loans were the most expensive ever made. With regard to the sinking fund, it was not of the nature of the sinking fund in England, for instead of being composed of the produce of the taxes raised for the purpose of supplying it, it was taken

taken from the mass of the money which would have gone in some other shape to the discharge or diminution of the debt, and therefore he did not think it of much use.

Mr. Tyrwhitt Jones, Mr. Paull, and Mr. Grant, explained.

Mr. Martin commented on the construction of the act by which the company held their charter, and said that it clearly appeared from it, that when the company were in straitened circumstances the payment was only suspended, and they now were debtors to the public for six millions. The only excuse must be their inability to pay, and he hardly thought that this excuse would be resorted to, as it would amount to a confession that they had been insolvent ever since the year 1793.

Lord Castlereagh ascribed the debts of the company to the wars in Europe and India, into the policy of which that was not the proper time to enter. European war alone had that effect, by increasing the expence of freight, and still more when Indian war was added. The only limit to their commerce was that of the limit of the Indian market, and their general trade to India and China amounted to two millions a year, while they extended the trade in British woollens, even to their own injury. As to the credit of the company, that appeared, from the state of their funds, as high as that of the country, and he saw no reasons for those gloomy speculations in which some gentlemen indulged. It seemed therefore unjustifiable to attempt to injure their credit, by assertions that they were in a state of insolvency. He defended his former observations with regard to a loan from this country, though he did not think that their financial situation immediately required it, or that they themselves had expressed any wish for it. On the whole, he did not entertain more gloomy prospects with regard to the company than he did with respect to the country in general. He never could look on their debt as entirely commercial, but as contracted for the support of our empire in India; and if by any operation it could be transferred to this country from India, and the interest reduced from nine to five per cent. it might be advantageous to the company, and would not expose the country to any pecuniary risk. Such a loan could be much better negociated under the guarantee of the public, than by the company itself. He concluded with

with recommending to his Majesty's ministers to take the affairs of the company into their particular attention during the recess, and bring forward the India budget at as early a period as possible of the next session.

Dr. Laurence observed, that it had been said, by a predecessor of the noble lord at the board of controul, that the country were much more likely to derive pecuniary assistance from the company, than the company from it; and yet now it was proposed to aid them, by guaranteeing their loans.

Mr. T. Jones contended, that had the administration of India been properly conducted, India would doubtless, by this time, have contributed considerably to the assistance of this country, instead of being in the state in which it now was. He contended, that the company was in a state of insolvency, and maintained his opinion by a variety of illustrations, which excited considerable merriment in the House.

Mr. Hudleston excused the non-attendance of some of the directors, on the ground that they had been that day engaged for nearly eight hours in very important business. But they knew that the honourable gentleman over the way (Mr. Grant), was to be present, and on the accuracy of his statements the House and the country might confidently rely. He then entered upon a statement of the advantages derived by the country from the commerce of the East India company, in opposition to what had been said on a former night by an honourable alderman (Prinsep), opposite to him. They exported woollen to the amount of 1,300,000*l.* at a heavy loss to themselves, because it was a staple commodity, and thus afforded employment to 40,000 men in this country. They were even subject to a penalty for this extensive benefit to the country; for though this was a losing trade before, a duty of fifty thousand pounds had been imposed upon it, and yet it was still continued. This they could not have done unless they had had the interests of the country more at heart than their own. In the exportation of this single article, then, they afforded employment to 40,000 men, particularly in the counties of Gloucester and Devon, the Duchy of Cornwall, and the city of Norwich; they paid 50,000*l.* annually of duty upon it. In addition to this, the company paid three millions of duties for various articles into the Exchequer,

Exchequer, and maintained 10,000 seamen; and thus encouraged that force on which the country so much depended for its support. The company had besides assisted in defending and enlarging our dominions in India. Their ships had defeated those of the enemy at the mouth of the Ganges. They had defeated them in 1778, and at a later period, it was well known what they had done in the China seas. The use of the company was not, therefore, to be judged of merely by the profit and loss, as far as regarded themselves particularly. The honourable alderman had said, that the Thames ought be made the grand depôt of Indian commerce; to which he had but two objections, namely, that it was impracticable, and that it would not be wise if it had been practicable. It was the opinion of a late illustrious person (Marquis Cornwallis), that we ought not to encourage the colonization of India from this country. If the trade, however, was thrown open to all, it would accelerate this event by at least half a century. The commerce of the company, then, he looked upon as a vast edifice, which had withstood the rage of the elements, and sheltered and nourished a great number of the most deserving objects, and was at once the friend and child of the state. But he by no means agreed with the noble lord (Castlereagh) in the answer which he had given to the honourable alderman. He denied that the deranged state of the company's finances was owing to the wars in India, for out of the thirteen years of war mentioned by the noble lord, six had been years of peace in India, and during part of that time, the debt, instead of increasing, had actually diminished. The deranged state of the finances he attributed to the late dreadful wars, and a neglect of due economy, and the fruitful source of these was the system pursued by the late governor-general, not intentionally, but from an error in judgment—a system of subsidiary alliances, that is, bringing the native princes under subjection to our Indian government, and making the company's revenues appear greater than they really were, and increasing the expenditure upon the strength of that fallacious appearance. But the delusion was now over, and if the system of the Marquis Cornwallis was again acted upon—if we recred our steps, he had no doubt the finances of the company might be brought to a state of prosperity.

Mr. Alderman Prinsep rose to reply. He began with observing,

observing, that after the long indulgence with which he had been honoured in a former part of the debate, he felt it his duty to abridge, as much as possible, what he had to say further on the subject, and here he must acknowledge his obligations to two honourable members, (Mr. Paull and Mr. Robson) and to another honourable member (Mr. Francis) who had volunteered in his support. For himself, he had long fought this battle single-handed, and had thrown himself alone into the "imminent and deadly breach," with truth for his standard, facts for his buckler, and the powerful and never-failing auxiliaries of cause and effect. What, but a reliance on such auxiliaries, would have sustained him against the influence and resentment of the most powerful public body upon earth, or induced him to sacrifice personal ease, and, perhaps, the interest of a large family, to the prosecution of a great public object—the assertion of national right to a natural share of the trade of Britain with its India dependencies? The causes of the company's present situation, which he had so long and so often exposed, had now produced the fatal consequences he had predicted, and dire distress and necessity were irresistibly forcing a change of system, and a call for relief.

It had given him much satisfaction to hear of the honourable director, who had just sat down, admitting, without reserve, all the facts he had stated on a former night, although the honourable director had differed as much, with regard to the conclusion drawn from them, as he had misunderstood the views and objects of their exposure. The honourable director had represented him to have contrasted the present system with the probable consequences of separating trade and revenue, with no other view, than that of obtaining the abolition of the company's charter from selfish and personal motives: when, in fact, he had merely stated, the four active capitals requisite for conducting, even on its present scale, the company's trade, and the total want of any such commercial resource: in order, first to prove that Indian interest attached to every operation; and, secondly, if it did attach, as the hon. director well knew, that all alleged profit on the trade was done away.

His next object was to shew the necessity of allowing British subjects to carry on that trade, which the company had no faculty of embracing; not to confine it to a few old commercial

commercial houses on each side of the water, but to enable all the merchants, manufacturers, and ship-owners, at home and in India, to compete with foreigners in carrying it on. Not in the wild and extravagant idea of rendering Great Britain the emporium of all the product, even of British Asia, but in the sober contemplation of securing to the mother country that natural proportion of the traffic, of which she was deprived by the impolitic restrictions under which the private trader, to and from India, had laboured, and continued to labour.

The alderman next observed, that he had been charged with expatiating widely on the little value of an item of ten millions, stated by the company themselves as composed of bad debts, old buildings, old furniture, and other articles, which sum, even their own accountant had struck out of the balance sheet, and estimated at only 400,000*l*. Was it unjust, as he had observed on a former night, to scrutinize such an asset, when adduced as a probable future claim on government, and as a part of those resources, on the security of which, a noble lord had proposed, that the House should advance seventeen millions of money? Was it invidious to suppose a case possible, in which government might be obliged to resume its lease of the territories, and dissolve a partnership ruinously unprofitable to both parties of the firm? Would his Majesty's ministers, or would they not, be justified in opposing to such claims the five millions and a half they had, and were to pay, for defending India since 1804; the expences of the Cape and Ceylon; the charge of two squadrons in the Eastern seas: and the pay of twenty-five regiments employed in acquiring and protecting the dominions in question?

But the company, it was asserted, has estates abroad of great value, of which they could not be deprived: how far it would be politic to retain them, would appear by looking at the expences of these estates—at that of the island of Bombay, where 764,994*l*. had been expended in one year, beyond the product of farms, licences, and quit-rents—at that of St. Helena, where 47,628*l*. had been expended, as appeared by the account of 1802-3—at the value of the villages round Madras and Masulipatam—at their factory-charges at Bencoolen, and, above all, at their more recently purchased island, Penang, where half a million was likely to be squandered on the wild project of making an arsenal

that could never be defended, of keeping a garrison where there were no provisions, and erecting docks where there was neither tide to float the vessels, nor workmen or materials for their construction or repair! As well might the company resume their possessions at Balambangam and the Andamans, and call them profitable estates, as retain any thing of landed property, after they should lose the revenues at large.

The Dutch and French had retained, indeed, their factories in our territories; the one, for the sake of patronage for a few favoured families of the aristocracy; the other, from a political motive of disturbing our influence; neither were profitable: on the contrary, the Dutch company had become bankrupts, from the expences they had incurred, and the French would never resume theirs, but from a determined enmity to our prosperity in India. These estates of our company, then, were no addition to the amount of their assets in the stock, by computation.

But this imperial company, it was said, from patriotic motives, exported vast quantities of woollens at an enormous loss.

The honourable director, who, as well as the honourable ex-chairman, carefully blended the India and China trade together, had vauntingly boasted of this immense export of woollens, and, stating the heavy loss thereon, as a sacrifice to the manufacturers of this country, had asked, what would become of the forty thousand British hands now employed, were the company to throw up that trade? In the first place, the honourable member said, no idea had ever been entertained by him, of invading the exclusive trade to China; it was, if any national trade could be, the properest of all subjects for monopoly, though not perhaps the most beneficial trade in a national point of view. Tea was the principal import from thence, and the excise it afforded, like the gabelle upon salt in another country, and the excise on tobacco, was a most convenient vehicle for taxing the subject. The duties on this article of luxury, were ninety-five per cent, on the selling price, and formed the greater part of the revenues, which the honourable director had stated were furnished by the company's exclusive trade. It was certainly a most important and convenient instrument of luxury for the exchequer; but who paid the tax? "*The East India Company, to be sure,*" in the first instance,

instance, and so would any other importer. No; not even so: the buyer pays the tax separately, before he receives the tea; and the country, not the East India Company, pays in the labour of forty thousand men, and in the wool employed in manufacturing cloths, to the value of the hon. director's estimate of 1,300,000*l.* per annum, for the privilege of drinking tea legally imported. It might be necessary to impose the duty, and for securing it, to leave the company a monopoly of the China trade; but they had no other merit to claim on that account, than would any other importer, were it convenient to throw the trade open. In fact, no great amount of woollens were, or ever would be, consumed in British India; none were exported thither, except for Sepoys' clothing, and the limited wear of Europeans. The argument, therefore, in this point of view, fell to the ground.

The fact was, that China was supersaturated with the company's woollens, and that circumstance alone had kept down the price. A reference to the director's own report on this branch of the trade would set right the noble lord and his colleagues respecting the cause and extent of loss on this item.

But granting that British subjects did interfere, would that interference lessen the exportation, if there were any demand? Would it not rather increase it, and occasion a greater employ of the manufacturers of Devon, Yorkshire, Gloucestershire? This threadbare topic had long ceased to convince men of the policy of shutting out British subjects from India, and allowing neutrals to rival us in our own natural colonial trade; to load their ships under our noses at every port of the united kingdom; to range unmolested from pole to pole, and even to buy and sell at our Indian factories on the same terms as the Company's privileged captains and officers of the regular ships.

Here the alderman desired the committee to look at the total export of the Company to India, in other manufactured goods, for the last eleven years; he had moved for this important paper, separate from the China exports; it was presented on the 5th of June, and would be found in page 94 of the budget accounts. During the eleven last years the total export of merchandize in the first column, instead of the immense sum the last speaker had asserted

it to be, the committee would be surprised to find, as he had correctly stated on a former night, amounted to no more than 5,614,960*l.*, little above four hundred and fifty thousand per annum. In 1784-5, only to 133,000*l.* The Company's tonnage for their India trade was only 9822 tons, (12 ships) and including that for private trade, last year, was only 25 ships, and 17084 tons.

He compared this with the tonnage of Barbadoes, and that of a single Dutch colony, Surinam, which loaded home last year 16,192 tons. Was this, he repeated, the natural share of the India trade which the mother country was entitled to? Observe, said he, the striking contrast between imperial and individual energy.

By the document on the table it appeared, that in 1799, 1800, the whole of the Company's export to India was only 463,578*l.* and this exceeded the average of the eleven years to which he had before alluded.

In the same year, by an authenticated paper laid before Mr. Dundas, and to be found in an able publication of a gentleman lately deceased (Mr. Henchman), it appeared, that twenty India-built ships, wisely licensed by the noble lord (Wellesley), an act fully justified by him in a dispatch to the directors, although, more than all his splendid acquirements of power and dominion, this act had brought upon his lordship the resentment of the directors, these ships had actually carried back merchandize from London to the amount of 615,247*l.* 12*s.* 6*d.* and expended here in repairs and disbursements 202,877*l.*, although two of the number were laden back by government; and this besides wine taken in at Madeira from British merchants there. Who then, he emphatically exclaimed, are the enemies to the manufacturers, ship-builders, and shipowners, to the traders and merchants of these kingdoms? Himself, and those who thought with him, or the directors of the India Company? Were the people of Sheffield and Birmingham more likely to starve, if a free intercourse subsisted with the millions of people in our own territories, and a trade were opened with the myriads who inhabite regions within the Company's limits; regions which they never had it in contemplation to visit, much less to supply with their instant demands, and with the growing wants, which a knowledge of our manufactures would create.

The Company's imports from their Indian territories were principally of manufactured goods, in which manufactures,

factures, Manchester and Glasgow were now their successful rivals and competitors in the markets of Europe and America. Four-fifths of these India goods were exported from hence, and drew back the greater part of those duties, which the honourable director boasted of as a contribution of the Company to the state; whereas the trade of individuals from India in their own shipping would consist chiefly of raw materials, and dyeing drugs for the use of these home rivals of Asian manufacturers; and the agriculture and revenue of India would feel the benefits of extending the cultivation it would create, of drawing the tribute without exhausting the country. Was it policy to suffer these raw materials to find their way into other countries of Europe, without supporting our carrying trade; or to be brought circuitously into England, as had been the case, in neutral vessels?

Mr. Dundas, when the charter was renewed, had long hesitated respecting the continuance of the exclusive trade. That great statesman had decided with hesitation, and with an intended but ineffectual guard against the too rigorous interpretation of the company's powers. The use since made of them, said the alderman, had, he believed, long ago occasioned severe regret in that minister, at their having been granted.

Another of the honourable director's arguments had been the danger of colonization were a freer sea-intercourse permitted. But whilst the present rigorous and unconstitutional power existed, of seizing British subjects, and sending them home without trial, or reason assigned; while such was the power vested in a governor-general by act of Parliament;—this was only a bugbear to frighten the ignorant; the thing itself, if it were dangerous, was utterly impossible. The honourable director had re-echoed again t him the charges of personal motives, and attachment to a favourite project of introducing India shipping to the injury of the British artizans. But would opening the India trade, that trade which the company could not carry on; would giving facilities to that trade, be likely to confine it to half a dozen established English houses abroad, and himself and four or five India agency houses in London? Certainly not; on the contrary, it would open India to the British merchant, trader, and ship-owner, without distinction or preference, whether at Liverpool, Bristol, Leith, and Glasgow, or Dublin, and Cork. It would injure not the company as was dreaded, but only the privi-

leged neutral rivals, whose operations he had already in part developed, and should further expose in the next session. So much with regard to any selfish object on his part.

He should next proceed to notice the danger of removing our artizans (ship-builders he presumed were meant) out of this kingdom, to our dominions in Asia; but did there, he would ask, exist any want of ship-builders abroad? It was true, at Penang (Prince of Wales's island) there were neither workmen nor materials, neither revenues nor provisions; but was that the case at Bombay, on the Malabar coast, or at Calcutta? Were no ships built there by British subjects? Were none built at Pegu, or Demaun, by Burmahs and Pursees? Was it not a notorious fact, that ship-building materials of every kind superabounded in our own territories? That they no less abounded in artizans, and master-builders of the first eminence to put them together? Was it not then sound policy for this government to encourage the extraction of these materials, and indeed of every other resource, which dependencies dearly acquired, and of such precarious tenure, could furnish to the mother country? Would it not be sound policy to build ships there for government, which might partly pay for their construction by a freight home; and to compel the company to build there for their own commerce, and leave the oaklings of our home forests to acquire their natural growth? If, said the alderman, the peninsula was worth the winning, was it not folly if we did not enjoy the benefits which the possession of it afforded?

Would the ship-builders of Blackwall, or of any other yard, complain of such a necessary expedient? Did they not candidly acknowledge, and every ship-owner feel, that the expences, and of course the profit of refitting and repair, exceeded those of original construction; that materials were grown so scarce and dear at home, that no merchant vessel could be built to sail against neutrals, nor any Indiaman be allowed to arrest the inefficient and scanty supply of our own timber for the royal navy? Was not the contract price of building for the King's service more than doubled within these few years? Could the commissioners obtain contracts at all to the extent required?—These facts made most completely against the honourable director's assertions.

The honourable director had next brought forward the company's

company's trade as a nursery for British seamen, and deprecated the employ of Indian shipping as injurious to that system. In the first place he would ask, by whom were the company's ships now manned, and were likely to be, both in peace and war, whilst our enemy was attempting to rival us on the seas? By foreigners mostly when outward-bound; and back, principally by Lascars, natives, or subjects of British India. Which of these two descriptions deserved most to be encouraged, he need not ask. Our commerce was now become too much the nursery for seamen of other countries, and unless care was taken hereafter, most of our British sailors would become Americans. It was not interest but necessity that ever induced the employ of black sailors on board merchant ships. The greater number of them required, in proportion to the tonnage, made it always cheaper to navigate with Europeans, and particularly with British seamen. But if any preference was due, the British Lascars ought in policy to be preferred to Danish or American sailors.

The honourable director had paid a just tribute to the skill and gallantry of the men who navigated the company's ships, and of those who commanded them; no man, said the alderman, had an higher opinion of them than himself; they were the best seamen, and the first navigators, in the world; they had distinguished themselves against Souffrein, under Sir Edw. Hughes, in 1778, and the last glorious instance of gallantry, in the China seas, under Captain Dance, would for ever endear them to their country; but how that establishment was supported, and merit or seniority regarded, he would not then stop to enquire. In nothing, he said, was there any design to deprive the company of their shipping, nor of that trade which they were able to carry on, which trade ought, however, to maintain its own maritime establishment.

The noble lord had fairly stated the expansion of the double system of trade and dominion, to have called for a greater amount of fixed and floating assets than had been formerly requisite; but where among them was to be found any capital applicable to trade? In all the budget speeches the surplus revenue and the product of exports were expressly mentioned as the *amount applicable to investment*: the rest at any rate was borrowed for the purpose, as the noble lord had himself confessed, in his last budget statement; (page 35,) his words were: "The question that will

will naturally be suggested on this occasion is, as to the prudence or propriety of investing so large an amount in goods, when the surplus from the revenues is estimated so low; *as the system of providing funds for this purpose by new loans has been often objected to.* Mr. Dundas's words in the statement of 1801, at page 29, were these: "The question must naturally arise from whence funds could be derived to meet demands to so considerable an amount; to which I shall merely now reply, that in whatever amount the supplies from Europe in bullion, and the cash received for bills on the court of directors, were found deficient, *money was raised on loans, as will appear in the increase of Indian debt.*"

Here the alderman affirmed, that, notwithstanding all assertion to the contrary, much the greater part, if not all, of that debt, had been created by the trade.

The exclusive system, according to the honourable director, embraced great political objects, and ought not therefore to be judged of on the narrow principles of a profit and loss trade. This, the alderman observed, might possibly be rational doctrine, if the revenues were able to make good the deficiencies in trade; but had that been the case? On the contrary, the Indian debt had encreased as the commerce extended; nor had the ex-chairman, the noble lord, the honourable general (Wellesley), nor the director himself, been able to shew any solid capital on which the trade had been supported. The fact was, a trade on money borrowed at Indian interest had ruined the company. The company, as he had repeatedly asserted, never had an active capital applicable to the purposes of commerce. He would state their capital *ab ovo;*

The united company were incorporated in the year 1702, by an indenture between her Majesty Queen Anne and the two East India companies, which had previously existed on separate establishments. In 1697, the 10th of King William, there had been raised for this purpose, by subscription, and in virtue of his letters patent,

On a capital of 3,200,000*l.* at 7½ per cent.	£.2,800,000
Of which they had lent to government at 8 per cent. interest - - -	2,000,000
They had also paid for dead stock under Lord Godolphin's award - - -	400,000
Which sums made a deduction of -	2,400,000
So that the active capital amounted only to - - - - -	400,000

To

To which a fresh subscription was made in 1701, upon 800,000*l.* stock, at 155 per cent. of - - - -	£.1,240,000	
Which increased their capital to -		1,640,000
Of which they had lent to government the same year - - - - -		1,200,000
The capital remaining, then, for trade, was only - - - - - -		440,000
At this time the rate of interest was reduced to five per cent.		
In 1729 a douceur was paid to government of - - - - - -		200,000
Unless, therefore, the trade had increased their stock beyond their dividend, the capital was reduced to - - - -		240,000
In 1741, they lent, however, to government, without any call on the proprietors -		1,000,000
which exceeded their funded subscription afloat - - - - - -		760,000
At this time the loan to government amounted to 4,200,000*l.*		
In 1750, the interest on the loan was reduced to three per cent.		
In 1789 a fresh subscription of 1,000,000*l.* stock at 174 added to the company's resources - - -		1,740,000
In 1793 the capital becoming more inefficient, 1,000,000*l.* stock was added, though not all subscribed till the year after, and this produced - -	£.2,027,295 16*s.*	

Upon this capital and the surplus revenues, had the company conducted their complicated system of conquest and commerce, with what success the committee were now the judges.

One source of loss, however, the alderman observed, he ought to state, and that was on the sale of three of the four millions due from government, which their necessities had compelled the company to dispose of, at the market price, after the whole loan to government had been converted into consols at three per cent. The remainder, which was of no greater value than the consols of the day, was still a resource, though at the decreased value he had before stated, in examining the stock by computation. Upon

such slender means had the machine been conducted, how far adequately he would not detain the committee to enquire, but a reference to the annual balances of their stock account would in a moment shew the progress of their affairs. The hon. ex-chairman (Mr. Grant) had broadly admitted the company's present distress, and indeed to have denied the fact would have been strangely inconsistent with his declarations in another place. The noble lord (Castlereagh) had also made a similar confession, but the prospect of a long peace in our provinces, afforded, in their opinion, ample confidence in the resources of the company to surmount its present difficulties. The noble lord admitted that the Indian debt had afforded the capital for its commerce; he had also corroborated the able statement of the honourable general (Wellesley) for a peace establishment, in which he was able only to exhibit the hope of a saving of 740,000*l.* per annum, and this without any allowance for unliquidated arrears of the war, the increasing interest on the bond-debt, and the funds constantly required for investment on the present footing. Both, however, had denied the insolvency of the company, or that India was now more likely to be a burthen than a relief to the mother country. The noble lord's illustration of the grounds of this confidence, was in unison with the declarations so often officially made by him, and his predecessors in the board of controul; it was only a stronger dose of that sweet nepenthe annually distributed in their budget speeches—"Hope travels on, nor quits us till we die." The fate, however, of a certain other great monopoly, framed upon extravagant speculation, ought to be a warning to this country, as well as to the India company. In a large building between Leadenhall-street and the Royal Exchange, was there not at this very day an evidence of the country's being compelled to pay a composition upon the capital as well as the debts of a privileged corporation? The Mississippi bubble had ruined French credit, and so would the South Sea project have ruined that of England, had not government stept forward with the public purse to pay a part of the corporate deficiency. But the company, says the noble lord, and the ex-chairman, and after them the director who had just sat down, had ample resources to prevent ultimate loss to the state. They had their claim of ten millions for buildings and fortifications. This, the alderman said, he had completely disposed of. The noble lord had stated that they were, it was true, 1,598,000*l.* deficient of their capital, assuming

assuming all the items in their stock by computation, to be valid: but admitting this fallacious statement, were they not still without the capital for trade, or the means of raising one? If, however, the committee adopted his (the alderman's) deduction, this deficit would be found nearer fourteen millions six hundred thousand pounds. But the relief which the noble lord himself had suggested, sufficiently proved what his own real opinion was of the company's situation.—"We are in no danger of becoming burthensome to the state, or of calling for any fresh trading capital; only, says the noble lord, allow us to raise four or five millions by the sale of fresh created stock, and lend us seventeen millions more, to be raised on parliamentary security, for our corporate use and benefit!" Sweet, indeed, and large must be the dose of *nepenthe*, copious the opium draught, that could any longer lull the House and the country into such dangerous security. Better far would it be, said the alderman, to go first into the committee, which the noble lord now recommended. For himself, he was persuaded that the extent of the disease was not yet discovered, and therefore no adequate remedy could be applied till a fresh report was made to the House upon a full investigation of all the branches of the India system; a firm conviction upon his mind of the magnitude of those embarrassments, and of the extreme difficulty of finding a remedy, and not any of the personal or party motives, which had again been ascribed to himself; not any resentment for disappointed ambition, nor envy at the company's power and influence, but a just sense of his duty, as a representative of the Commons of England, and as one of the magistrates of the first commercial cities in the universe—the greatest that modern or ancient times beheld; these were the stimuli which had prompted him to enter thus largely into the wide detail of the company's affairs, and which would continue to support him in the further prosecution of this subject next session, of which he had given notice in the House.

Lord Castlereagh, Mr. Hudlestone, and Dr. Laurence, explained.

After much farther discussion, in which Mr. Whitshed Keene, Mr. Johnstone, Mr. Grant, and Lord Morpeth participated,

Mr. Alderman Prinsep concluded the debate, by observing, that if the expressions he had used, of which such heavy complaints had just been made by the ex-chair-

man, were felt to be either disrespectful by the great body whose affairs were now again under their annual investigation, (and even then they could not justify the use of invective where refutation was felt to be impossible), offensive to the official feelings of directors, or stronger than the occasion called for; he trusted that in the one case, allowance would be made for some degree of provocation he had met with at the beginning of the debate, in a fresh attempt to preclude him from expressing his sentiments at all in the committee: and in the other case, that the committee would think with him, that feeling, as he did, the importance of the facts, and of his conclusions from them, it became both his right and his duty to enforce conviction by the strongest language that the subject suggested to his mind.

The resolutions were then agreed to.

The House having been resumed, the report was ordered to be received on Monday.

A message from the Lords declared their assent to the linen drawback, the Bell Rock light-house, the London port, and the masters in chancery bills without any amendment, and also their Lordships' assent to the Philanthropic Society, and bankrupt regulation bills, with several amendments, to which they desired the concurrence of this House.

Accounts of the salaries of several public officers were presented at the bar.—Ordered to be printed, and to lie on the table. Adjourned till Monday.

HOUSE OF LORDS.

SATURDAY, JULY 19.

The customs regulation bill, the consolidated fund bill, the charitable institutions bill, the Dublin harbour bill, and the oak bark bill, were read a second time, and committed for Monday.

The royal family annuities bill, the militia officers pay bill, Earl Nelson's annuity bill, the Irish postage bill, the lottery bill, and the London additional force repeal bill, passed through committees, and were reported.

A short conversation took place relative to the Scots forfeited estates bills, between the Earl of Lauderdale, the Earl of Moira, the Lord Chancellor, Lord Walsingham, and the Duke of Cumberland, in consequence of the House

of Commons not having sent up the report respecting the forfeited estates in Scotland, which had been requested by a message from the Lords. It was at length agreed to defer the further consideration of the subject till Monday, when the standing orders Nos. 26 and 155 are to be taken into consideration, with the view of suspending them, in order to forward several bills two stages on that day.

Adjourned till Monday.

HOUSE OF LORDS.

MONDAY, JULY 21.

The royal assent was given by commission to the sugar bill, the silk bounty bill, the Irish revenues bill, the American intercourse bill, the Irish militia service bill, the volunteer officers rank bill, the slave ship restriction bill, the Chancery clerks bill, the masts bill, the raisins bill, the London quay bill, the port of London bill, the Bell Rock light-house bill, the insolvent debtors bill, and several other public and private bills, to the amount of ninety-eight.

The commissioners were the Lord Chancellor, Lord Walsingham, and Lord Eldon.

The further hearing of the appeal "Chamley *v.* Lord Dunsaney, and others," was postponed till next session.

In the appeal "Rennie *v.* Tod, and others," the Lord Chancellor moved to reverse the decree of the court of session, which motion was supported by Lord Eldon, and agreed to.

Sir William Scott, and several other members of the House of Commons, brought up the bankrupt laws bill, and some other bills, the amendments made in which by the Lords had been agreed to by the Commons.

The consolidated fund bill, the royal family annuities bill, the Irish postage bill, the lottery bill, the malt excise bill, the London additional force repeal bill, Earl Nelson's annuity bill, and Lord Rodney's annuity bill, were read a third time and passed.

MILITIA.

On the third reading of the militia officers' pay bill,

The Earl of Radnor protested against it as a bill that offered an insult and injury to the militia, whilst it was at the same time a breach of faith towards that valuable body of

of men, it having been clearly declared by Parliament that the pay of the militia officers should be equal to that of the officers of the line. He lamented that every party who came into power seemed inclined to give a blow to the militia. The engagements that had been entered into with the militia had now nearly all been broken; the men had been taken out of the regiments to serve in the line; officers had been appointed without the requisite landed qualifications; now the pay of the officers was to be rendered less than that of the line, and he supposed their rank would next be affected. He wished to speak against this measure in the strongest terms which his liberty of speech in Parliament would allow; and viewing it in the light he did, he felt it his duty to move, that the bill be read a second time that day three months.

The *Earl of Westmorland* also thought the bill a breach of faith towards the militia, and was at a loss to conceive on what grounds it could be supported. On a former occasion, when discussing one of the military measures of his Majesty's ministers, it had been said, do not take a measure singly, but look at the whole plan, and with this licence he would take the liberty of adverting to a bill for regulating the rank of volunteer officers, which, either through his mistake, or the mistake of others, had passed through the House without his having an opportunity of making any remark on it; a bill which he conceived calculated to give offence to the volunteers, without any benefit being likely to be derived from it.

Lord Grenville declared himself a warm friend to the militia, which he considered a very valuable part of our military force, not only as affording a force for the defence of the country in the hour of danger, but also as giving an opportunity to gentlemen of landed property, not choosing to enter into the regular military profession, of evincing their zeal and spirit, and of obtaining that degree of military knowledge which would render them essentially useful in a crisis of public danger. There was not the slightest intention on the part of his Majesty's ministers to give a blow or offer any insult to the militia; nor could he conceive how this bill could be so construed. He denied that there was any breach of faith; all that had formerly been declared by Parliament was, that the officers of the militia should receive the same pay as the officers of the line, that is to say, the pay which the latter then

then received; but it never could be contended, that from thence a principle was to arise, that the pay of the officers of the line was never to be augmented, without, at the same time, augmenting, to an equal amount, the pay of the officers of the militia. It should be recollected that the officers of the line made the military profession the business of their lives, and were liable to many duties of service to which militia officers were not; the latter, besides, might pursue other avocations, at the same time continuing the exercise of their duties as military officers. He could not, therefore, conceive in what way the bill could operate as a hardship upon the latter.

Lord Eldon objected that the bill was inconsistent with itself, inasmuch as it merely professed in its title to be a bill for regulating the pay of militia officers in England and Scotland, whilst in the body of the bill there were enactments applying to the yeomanry and volunteers of Ireland.

The Earl of Moira observed, that a trifling amendment would obviate the inconsistency of which the noble and learned lord complained. He professed himself a warm friend to the militia, and, coinciding completely with the arguments urged by his noble friend (Lord Grenville), he could not conceive in what way the bill could be considered as offering any insult to that valuable part of our military force. He thought the lamentation of the noble earl (Westmorland), that he had missed an opportunity of debating the bill for regulating the rank of volunteer officers, was needless, as every part of the plans of ministers as embodied in the different measures brought up to that House had been most amply discussed by noble lords on the other side, who had scarcely omitted any opportunity of attacking them. With respect to that bill, however, he would observe, that not only no offence was intended to the volunteers, but he was convinced that no offence could be taken by the volunteer officers, as they must feel that, from want of experience in actual service, they were not competent to take the command of field officers of the line, and of large bodies of troops, in the event of their being actually called out for the defence of the country.

Earl Fitzwilliam likewise defended the bill, on grounds similar to those urged by Lord Grenville and the Earl of Moira.

The

The Earl of Radnor repeated his former disapprobation of the bill.

The Earl of Hardwicke objected to the bill, on the ground of the increase of pay not being extended to captains in the militia, many of whom, he said, from having been appointed without the qualification previously required, stood as much in need of an increase as any of the others to whom it had been extended.

Earl Spencer thought if the not extending the increase to captains had the effect of bringing back the militia, in that respect, to its forming principle, that of only having captains possessed of the landed qualification before required, it would produce a good effect.—He defended the bill on the grounds before urged, and as to the rank of volunteer officers, he, as a volunteer field officer himself, considered that bill as a boon, and he had no doubt it would be generally considered by volunteer officers as a favour, as, with all that zeal and spirit which they would doubtless evince in the hour of danger, they could not, from want of experience, feel themselves adequate to the command of large bodies of troops.

The Duke of Rutland expressed his entire disapprobation of the bill, which he conceived to be subversive of the constitution of the militia.

The Lord Chancellor contended that the former declaration of the legislature, that the pay of the militia officers should be the same as that of the line, could only apply to the then pay of the regular army, and not to any future augmentation. Those noble lords who conceived that this augmentation ought to be extended equally to the militia might use that as an argument against the bill, but it never could be maintained that the not extending to that force an increase of pay, granted under special circumstances to the regular army, was subversive of the constitution of the militia.

Lord Eldon said a few words in explanation.

Earl Camden opposed the bill. He thought the measures brought forward by ministers were not exactly in unison with their professions of regard for the militia and volunteers.

The House then divided on the question, that the word "now" stand part of the motion for reading the bill a third time. Contents - - 13
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On

On our re-admission we found

The *Earl of Westmorland* on his legs, speaking on the question for reading the same bill a third time. His lordship expressed his disapprobation generally of the measures which had been brought forward by ministers, and considered his own honour and character, as well as that of those with whom he recently acted, involved in his opposition to them.

The bill was then read a third time and passed.

PUBLIC HARBOURS.

On the question for going into a committee on the public harbours bill,

The *Earl of Limerick* complained that a bill of this importance had been brought forward at so late a period of the session. It appeared to him likely to be mischievous in its operation, as it tended to prevent persons having property on the banks of navigable rivers, as far as the tide flowed, from making the least improvement on their estates, without giving notice to the secretary of the admiralty. The penalty for not giving this notice was 200*l.* and many persons might thus be entrapped without being at all aware of the nature of the law. He thought it would in many cases be useless, as to the interests of the public, and instanced the river Shannon, in Ireland, where the tide flowed a mile higher than vessels of any burden could come up, yet this bill would equally operate in that part of the river where it could not be of the least use.

Lord Grenville said the bill had been brought forward as soon as the grievance to which it applied was known; and it was a measure which he contended was highly necessary in order to preserve our public harbours and navigable rivers from obstructions. It was merely required of the person making any embankment or other work in the situations mentioned, to send notice to the secretary of the admiralty, which could be but a very trivial hardship. Many other rivers might be in the situation of the Shannon, where the tide flowed higher than vessels of any burden could navigate, but it was, notwithstanding, important to prevent obstructions in those parts of such rivers, in order to prevent the navigable parts of those rivers from being ultimately injured.

The bill then passed through the committee, and was reported.

The Scots forfeited estates bills were read a second time, passed through committees, and were reported.

The customs regulation bill, the oak bark bill, and the other bills on the table, were ordered for committal, passed through committees, and were reported.

Adjourned.

HOUSE OF COMMONS.

MONDAY, JULY 21.

The House was summoned in the usual form, to the House of Peers. The Speaker, on his return, declared the royal assent had been given by commission to several bills.

New writs were ordered to be made out for members to serve for Seaford in Sussex, in the room of Sir R. Sullivan, deceased; for Buckingham, in the room of Viscount Proby, who has accepted the stewardship of the Chiltern Hundreds; and for Enniskillin, in the room of John King, Esq. who has accepted the Stewardship of the Hundred of Desborough.

The Lords' amendments to the Philanthrophic society and bankrupt laws bills were taken into consideration, and agreed to.

The report of the Committee on the East India accounts was received, and the resolutions read.

Mr. Paull did not object to any of them, but wished to remark this circumstance, that there was a defalcation in the revenue of Oude alone to the amount of 450,000*l.* and other defalcations, in all about three millions sterling.

Lord Morpeth said that the proper time to consider that point would be when the accounts came over.

Mr. Paull said a few words in explanation. After which the resolutions were agreed to.

Mr. Perceval rose, and adverted to the notice which he had given some time ago, of his intention to submit a motion to the House relative to the practice of thanking the managers of impeachments, before the lords had given their decision. The object of his rising at present was to remove the impression, if any such existed, of his having abandoned that intention. He had by no means abandoned it; but from considerations, of which the house, he hoped, would perceive the propriety, he had dropped any design of bringing forward the subject this session. He wished that every

feeling connected with any particular impeachment should have no place in the consideration, and was rather afraid that if he had brought it forward this session, even the shortness of the time that must have intervened between that and the late impeachment, might have prevented the matter from being discussed with that impartiality which was desirable. He now, therefore, gave notice, that it was his intention to bring the matter before the House in the next session.

Mr. Sheridan rose, pursuant to the notice he had given on Friday, and reminded the House, that in giving it, he had distinctly expressed, that it was to be considered as a provisional notice, circumstances having rendered it very probable, that a farther communication with those to whose judgment he should entirely refer, might suggest a better mode of obtaining the object he had in view. It was with the utmost satisfaction that he felt himself intitled to state, that his Majesty's ministers generally were well disposed to the objects, which he confessed had long been the favourite purposes of his meditation and investigation, and more especially that the noble lord at the head of the treasury, and the right hon. secretary, whose absence, from indisposition, was so anxiously deplored, were peculiarly eager and ardent upon the subject. Under their auspices, he trusted there would be speedily commenced a plan of improvement, redounding to their honour, including the convenience, decoration, and magnificence to which the capital is so well entitled; a plan which has been so long and unaccountably neglected, and the greater part of which he was confident, might be effected without any call whatever on the public purse. Such a plan no one could doubt, would meet his Majesty's approbation, who had ever shewn the most munificent anxiety to promote the liberal arts and improvements in his capital. Had he made his motion, he should have had much to say on the subject, and with a confidence that the unanimous sentiments of the House would have gone with him; but, convinced that the authorities before referred to, for attaining the same object, were preferable to his first suggestion, he had only to say, that he waved making the motion of which he had given notice.

A person from the excise office, presented an account of the prosecutions for violations of the militia act for the last ten years. Ordered to lie on the table.

Mr. Johnson from the office of chief secretary in Ireland, presented an account of Irish linen, of a certain breadth, exported to the West Indies within a given time. Ordered to lie on the table.

A person from the West India Dock company presented a statement of the progress of the works in the Isle of Dogs, pursuant to act of parliament. Ordered to lie on the table.

BARRACK ABUSES.

Mr. Robson rose, pursuant to notice, to move for some papers relative to the barracks. Since ministers had not chosen to attend in their places at the discussion upon the East India accounts, during which it had been asserted by persons who were competent to judge, that the company was almost in a state of insolvency, he was not surprised that they were not present on this occasion. The subject, however, to which he was about to call the attention of the House, was one of the greatest public importance. Some papers on this subject had been presented on Friday last, not on his motion, but on that of the secretary at war, but as ministers seemed to wish to shuffle off the business, by not attending to-day, he would speak freely of them. The plan which he proposed for ascertaining the exact state of the barrack expenditure, was plain and simple, and if his motion had been agreed to, it would have been the means of saving some hundred thousand pounds of public money. Ministers, however, had thought proper to refuse some of these when proposed by him, but afterwards finding that the public must come to the knowledge of these abuses one way or another, they had come to the House, and made similar motions themselves, and he was told that he ought to have divided the house. He had, however, made three motions, which if granted, would have formed a key to the state of the barracks, and the simple return of the office would itself be a check against the embezzlement. He told ministers that he wanted to see the report of the commissioners of military inquiry. Although generally pretty early in his attendance at the House, he had not come down that day till twenty minutes past four o'clock, when he found that the report had been presented, and ordered to be printed. He met the clerk with it in his hand, and followed it up stairs, in the hopes that he might be permitted to look at it for five minutes. But understanding that the

the secretary at war meant to move for some papers relative to the barracks, he immediately came down to the House, thinking it of more importance to hear these motions, than to look at the report. He then begged leave to have the report for some minutes, but finding it contrary to the rules of the House, he had given way. For want of the information, however, which he might have procured from the report, his plan could not be so well arranged as he could have wished. But he pledged himself to the House as a member of parliament, that if the produce of the canteens and manure should be duly applied, it would defray the expence of all the temporary barracks. He would call upon the chancellor of the exchequer, and the secretary at war, who had just come in, to say why his motion had been refused. The secretary at war, however, wishing, he supposed, afterwards to give him the object of his motion, had moved for an account of the rents of the canteens, and the produce of the manure. The paper had been presented, but it did not state any time. Whether the account was from 93 or the days of *Noah*, there was no means of ascertaining upon the face of it. It was besides a general account, but he wanted the particulars, and some specified time. He wanted the produce in each particular barrack, according to the weekly accounts, as sent to the barrack-office. This was no account at all. He would make his motion again. [The Speaker asked whether this was the same motion he had made before? and being answered in the affirmative, he said, that a motion having been once negatived, one exactly the same in substance could not be received during that session. Mr. Robson then begged with submission to propose another motion, and the Speaker having read it, asked him to state in what the difference consisted between that and the motion which had been negatived.]—Mr. Robson then in continuation, proceeded to state that the secretary at war had come down on Friday last, and moved for a paper on this subject without giving any previous notice. He had therefore been taken by surprise—but his account was only in gross. He wanted the particulars. Ministers said that they wanted enquiry—this was his object too, and yet when he did any thing with that view he was thwarted, and asked why he should take these things upon him? If the secretary at war had communicated his motion to him he would have corrected it, but as it was it would answer no purpose, as there

was

was no particular time mentioned. (The secretary at war said across the table, that there was.)—Mr. Robson said he would read the votes, and from these it would appear that there was not—(here he read the votes).

The Speaker again requested the honourable gentleman to state in what respect his motion differed from the former.

Mr. Robson stated, that there was a difference of a material word.

Mr. Calcraft said, that after what had fallen from the chair, if the motion was substantially the same, we were debating about nothing, because, however willing his noble friend (Lord H. Petty) was to support the motion, it could not be granted in consistency with the orders of the House.

Mr. Whitbread also said, that the hon. gentleman did not pay the proper respect to the Chair and to the House in not precisely stating the difference, if there was any.

Mr. Tyrwhitt Jones suggested that the word "perma-" "nent," which was in this but not in the former motion, might make a material difference.

Mr. Robson then said, that the former motion only applied to the temporary barracks, whereas the present applied to the permanent barracks also.

Mr. Whitbread and Mr. Calcraft, as they found there was a real difference, withdrew their objections.

The motion was then read, and, with the above-mentioned difference, was the same as that lately made by Mr. Robson, for an account of dung, straw, &c.

The Secretary at War said, that no objection had been made to the honourable gentleman's motion. With regard to the paper which he had presented on Friday, it had been put into his hands by the barrack-master-general as a contradiction of the statement made by the honourable gentlemen, that no account had been given of the produce of the barrack manure. The account did specify a certain number of years, and the particular barracks and sums, so that the honourable gentleman was mistaken on that point. With respect to the present motion, he would not object to it as the others had been agreed to. But at the same time the production of these papers would be attended with considerable expence and inconvenience, as a number of additional clerks must be employed on purpose. Now whether the House would think it worth while to go on with this business might be a question, as the honourable

nourable gentleman seemed to be doubtful whether he would pursue it. He talked about throwing up the affair, and was now and then moving for more papers, so that he would have considerable doubts whether the right honourable gentleman meant to follow it up unless he expressly said so. Had not his noble friend permitted the other motions to pass without objection, he would not have been very willing to accede to this motion, as the matter was at present before another tribunal. He thought the honourable gentleman's plan was worse than the commission which had been already appointed, and of whose delay and unfitness the honourable gentleman had complained. [Here Mr. Robson made a sign of dissent.] The honourable gentleman did not seem inclined to admit that he had made such complaints, but he certainly had said something that appeared very like a charge of this sort. He had, however, met with no impediment from that side of the House. The honourable gentleman had said that all wished for enquiry. He, however, did not wish for enquiry in this way, because he conceived it would answer no good purpose.—But though he thought that the military commission was more fit to investigate these abuses, he hoped that none of the ministers could, on that account, be justly liable to the imputation of attempting to screen abuses.

Mr. Paull said that he was surprised to hear the honourable gentleman say, that ministers had resisted his motion on a former occasion. They had not done so, for only two gentlemen on the other side had said No, and the honourable gentleman did not think fit to divide the House.

Mr. Robson stated nothing but what he believed on good grounds to be true, and the report would bear him out in what he said. As to the expence, the papers consisted only of two sheets and a half, and might be made out in two hours and a half. As to the charge of insincerity, and doubt whether he should prosecute this business, he would ask the noble lord over the way (Petty), whether he did not say, that he was ready to proceed immediately with the enquiry? There was a refinement in penetration in this business, and nothing would give him greater pleasure, than to have the matter before an honest jury. But then he had been desirous to wait for the report of the commission. He would describe what the report was. It gave a history of the barrack establishment, with the costs attending

tending them, and then proceeded to the examination of the barrack accounts, and there found out General Delancy, with his one per cent. a thing that was notorious at all the public offices before. He did not wish to speak disrespectfully of any person, but public men were in situations where they must submit to be animadverted upon. They had begun at the wrong end. What was the use of all this history; or what did it signify what happened a century ago? The abuses were still going on, and what they ought to have done was to have turned their attention to the present time. If they had done this, half a million might be saved to the public, and a report of this sort would have been of use. Was he then to wait four or five years, till the commissioners made another report? He would warn the chancellor of the exchequer not to resist a *bona fide* enquiry. He would have to answer to him as a member of Parliament, in a future session, how 1,700,000*l.* of the public money had been lost. There were a great many abuses in the other offices, and to these he would turn his attention at a future period. He had always at heart the good of his country. He had heard much of the talents of the present ministry, but the best proof of their talents would be to save the talents of gold and silver. Government had professed a resolution of adhering to the most rigid economy, and an honourable admiral had said that the navy might be kept up at two thirds of the present expence. He agreed with him in this, and he would sift that quarter. These things were worthy the attention of the House. He proceeded again to express his surprise at the charge of insincerity, and said that government would not have a leg to stand on, unless they adhered to economy. The country did not call for peace, but for enquiry into public expenditure. The chancellor of the exchequer came in with the affections of the people, who expected that ministers would perform what they promised as to economy. He said that the rents of the canteens, and the produce of the manure, would defray the expences of the temporary barracks. This was a plain assertion by which he would stand. There were sales of different materials at the barracks when they were left, and he wanted to know how these had been accounted for? and his next motion would refer to this. There was a mode by which the barrack accounts might be consolidated, and made

made every three months, and he did not see why it should not be adopted.

The Secretary at War and Mr. Robson then mutually explained. After which the motion was agreed to.

A message from the Lords announced their assent to the auditors' bill, Lord Rodney's annuity bill, and others; and requested that the House of Commons would sit some time: which, on the motion of Lord Henry Petty, was agreed to.

Mr. Robson then moved—"That there be laid before this House a return of all the sales, which have taken place at the several temporary barracks, or buildings rented or hired by government, and used as barracks, or as barrack store-houses, in the whole of Great Britain. That the said return do embrace all such sales between the first day of January, 1793, and the 24th day of June, 1806; and that it be exhibited in nine columns, in the order, and with the titles, here following, viz.—1st, The name of the parish (or station) and the county, where each sale respectively was made; the said names of the parishes (or stations) following each other in due alphabetical order. 2d, The date of the sale. 3d, The name of the auctioneer or person by whom the sale was made, and, if the sale was a private one, stating that circumstance. 4th, The names of the purchasers, if less than six in number. 5th, A general description of the things sold. 6th, The name of the barrack-master or other person under whose immediate direction and superintendance the sale took place. 7th, The gross amount of the sale as credited to government. 8th, The total amount of all the sums expended by government in fitting up each building respectively. 9th, The number of men or horses quartered in each station respectively.

Mr. Windham observed, that ministers were placed in a disagreeable situation by the honourable gentleman's motions, since he seemed to consider persons who might on any account object to them as wishing to protect abuses and peculations. But it must be from the most gratuitous love of abuse, if ministers could object to the discovery of abuses which took place under their predecessors. In this observation, however, he could not include himself, for the present motion had some reference to him in an antecedent state. Here he could not but remark the inconsistency of the hon. gentleman. He had complained that all the work

of the commissioners of enquiry had been retrospective, and had considered that as a most absurd way of proceeding, while he wanted to provide against present and future abuses. He had also dwelt on the expence of the barrack department; and yet, notwithstanding all this, he now proposed to go into a detail of all that had happened for the last thirteen years, which must necessarily be attended with great expence, and would require the employment of additional clerks. Now, the proper question was, would the motion, if agreed to, produce any thing adequate to the expence and inconvenience it would occasion? All the items of an auctioneer's paper, pots, pans, kettles, &c. were to be made up and laid before the House, and many other things of which it was probable no record or vestige now remained. The hon. gentleman brought forth his motions as a sort of nostrum or recipe, which was to cure existing abuses all at once; and, indeed, if he could produce some little scheme of accounts of that kind, he would do great service to the country. He had taken a very wide compass, and laid a broad basis; but his objection to his motions arose from their probable inefficiency, and he would not be terrified from opposing the present, by the reproach of a wish to screen peculators. He should not have resisted the present motion, were it not for the great additional expence and trouble which it would occasion, and he trusted that its fate would stand as a warning to all such motions.

Mr. Jones said, he had no wish to give any opposition or annoyance to his Majesty's ministers. He had every wish to respect their talents, to give them credit for the best intentions, and to be convinced it was by no means their wish knowingly to countenance or to screen wanton extravagance or peculation: but really and truly, the system of peculation of late years in the department alluded to by his hon. friend (Mr. Robson) was so glaring, so horrid, and abominable, that he must say his honourable friend was justified in pressing his motion, with a view to establish some effectual and permanent check upon this glaring system of flagitious peculation. His Majesty's present ministers had succeeded to power with the wishes and the warm approbation of the people, and certainly had shewn every disposition to follow up enquiry into public abuses, and to render the public force formidable for the defence of the country against a ferocious enemy; but

but he could assure those ministers, with every deference for their talents, that, without economy in the expenditure of the public money, without the most rigorous vigilance in the disbursement of every pound for the public service, it would be in vain that they possessed talents; it would be in vain that they rendered formidable their armies or their fleets, with a view to our permanent safety. Economy in public, and in private life, under the peculiar circumstances to which this country was now reduced, he considered as the cardinal virtue upon which turned all our hopes of ultimately surmounting the dangers and embarrassments in which we are involved: it was to our want of this, that our ferocious enemy looked with eager hopes of his ultimate success in subduing us, more than to any opinion of our want of a formidable force, and a military spirit of resistance. But, from the nature of some expenditures of late, it would seem as if his Majesty's ministers had believed that a guinea was really worth more than twenty-one shillings: however, he could assure them nothing but the most strict economy and vigilance to the public expenditure would do. Adverting to the objections made by a right hon. gentleman (Mr. Windham), to the production of the account now moved for by his hon. friend, he could not but feel they were rather extraordinary: for, after the very large sums of money which had of late been appropriated to the establishment of new boards of auditors for public accounts, (he would not say as a mere matter of form and useless), he thought it odd, that when a proposition was made with a view to investigate defalcations and peculations in another department, which was a perfect mine of peculation, it should be resisted on the ground that it would cause an extra expence in clerks, pens, ink, and paper.

Mr. Robson, in reply to Mr. Windham, supported his motion, and repeated a former observation, that when the right hon. gentleman called upon him to defer his enquiry until the commissioners of military enquiry should have concluded their investigation, and made their report, he called upon him to wait four years, and to shut his eyes against public abuse; but was he, as a member of parliament, whose business and whose duty was public enquiry, to be satisfied with this? for it appeared upon oath that it must take four years to get through the accounts. The right hon. gentleman had talked to him of *nostrums;* all

the nostrums he wanted, was to probe peculation to the quick, and to apply to it such a remedy as should cure it for the future.

Sir William Elford, with every respect for the hon. member, observed, that if he had been the first to discover the peculation of which he now complained, and had come down to the House and founded upon his discovery a motion of enquiry, undoubtedly he would have deserved much popularity for his exertion. But as this was not the case—as the House had already taken up the subject under the general head of military expenditures, and as the commissioners appointed by the House had been actually for a year past occupied in the investigation, the hon. gentleman, in every endeavour to add to his own popularity on this head, sought to detract from the merit of the commissioners, and of the House, by whom they were instituted, as well as very considerably and unnecessarily to increase that expenditure of public money for which he professed so much of vigilant concern.

Lord H. Petty had hitherto been extremely unwilling to resist any of the motions made by the hon. gentleman for the papers he required on this subject, or to withhold any information which the hon. gentleman or the House should think necessary: but really the document for which he now moved was of a nature so very complicated and impracticable, on a range of thirteen years, as well as utterly useless towards the professed and leading object of the honourable gentleman, that he was inclined to oppose this motion, seeing it to be of no practical use. If the hon. gentleman had any objection to the mode of enquiry by commissioners already adopted by the House, and before whom the subject of barracks was laid, as well as all other branches of the military expenditure, he ought to have come down to the House, and moved for a repeal of the bill under which those commissioners were appointed, in order to substitute any other plan of enquiry he should think more eligible; but until that should be done, he conceived the adoption of another mode of enquiry to proceed *pari passu* with that of the commissioners, and upon the very same topics, would be an useless waste of time and trouble, and a very great and unnecessary increase of public expence, which he was full as desirous as the honourable gentleman to avoid.

Mr.

Mr. Jones and Mr. Robson severally explained; and the motion being at length put, was rejected.

The order of the day being read for resuming the debate upon the subject of the public debt, it was resumed accordingly; and Lord Henry Petty moved a list of resolutions upon the subject of the debt, finance, and commerce of the country, which were carried without opposition.

A message from the Lords announced their Lordships' having agreed to the Scotch militia officers' bill, and the Irish post road bill.—Adjourned.

HOUSE OF LORDS.

TUESDAY, JULY 22.

The royal assent was given by commission to the consolidated fund bill, the lottery bill, the royal family annuities bill, earl Nelson's annuity bill, lord Rodney's annuity bill, the auditors' bill, the warehousing bill, the Irish postage bill, the stage coach bill, the woods and forests regulation bill, the Windsor forest bill, the London additional force repeal bill, the militia officers' pay bill, the public harbours bill, the Irish hops bill, the bankrupt laws bill, and some other public and private bills, amounting in all to twenty-two.

The commissioners were the Lord Chancellor, Earl Spencer, and Lord Walsingham.

The customs regulation bill, the oak bark bill, the Scotch forfeited estates bill, and a few other bills that remained for a third reading, were read a third time, and passed.

In the appeal "Henderson v. Ramsay," judgment was given, on the motion of the Lord Chancellor, affirming the decree of the court of session.—Adjourned.

HOUSE OF COMMONS.

TUESDAY, JULY 22.

According to summons, delivered by the deputy gentleman usher of the black rod, the House proceeded to the House of Peers, and, on its return, the Speaker stated that the royal assent had been given by commission to several public and private bills.

On the motion of Mr. Hobhouse, a new writ was ordered for the borough of Bodmin in Cornwall, in room of John Serjeant,

Serjeant, Esq. who has accepted the office of steward of the Chiltern Hundreds.

The account presented on the 17th inst. by Mr. Woodford, relative to the additions made to the public debt, was ordered to be printed.

A message from the Lords announced their Lordships' assent to the crown leases bill, the receiver general of the customs regulation bill, the Scotch exchequer chambers bill, the Scotch forfeited estates bill, the Scotch canal bill, the public harbours preservation bill, the Grenada loan bill, and the oak bark bill.—Adjourned.

HOUSE OF LORDS.

WEDNESDAY, JULY 23.

The House met about three o'clock.

Mr. Johnson, from the office of the chief secretary for Ireland, presented the third report of the commissioners of inquiry in Ireland; which was ordered to lie on the table, and to be printed.

The House was adjourned during pleasure, to robe.

About a quarter past three, the Lord Chancellor, Earl Fitzwilliam, and Earl Spencer, took their seats in their robes, as his Majesty's commissioners. Mr. Quarme, the deputy usher of the black rod, was sent to the House of Commons, to require their attendance.

The Speaker, attended by the whole House, shortly came to the bar; when, his Majesty's commission having been read at the table, the royal assent was notified, in the usual form, to the Scots treasury chambers bill, the Scots forfeited estates bill, the customs regulation bill, the oak bark bill, the public harbours bill, the ecclesiastical corporation bill, and Houston's estate bill.

The Lord Chancellor then, in his Majesty's name, delivered the following speech:

"*My Lords, and Gentlemen,*

"His Majesty has commanded us to acquaint you, that the state of the public business enables his Majesty to close this session of Parliament.

"We are, at the same time, directed to express to you

you the great satisfaction which his Majesty has derived from your unremitting zeal and diligence, and from that attention to the most important interests of his empire, which has been so conspicuously manifested in all your proceedings.

"The measures which have been adopted for the permanent improvement of the various branches of our military system, your attention to combine these arrangements with the great objects of public economy, and the regulations which you have established for the speedy and effectual audit of the public accounts, call for his Majesty's particular acknowledgments.

"*Gentlemen of the House of Commons,*

"We have it in command from his Majesty to thank you for the provision which you have made for the various exigencies of the public service, particularly by raising within the year so very large a proportion of the necessary supplies; a measure in itself highly advantageous, and which must create, both at home and abroad, the most favourable impression of our national resources, and of the spirit which animates the British people. You may be assured that the utmost attention shall be paid to the frugal administration of those supplies which you have so liberally granted.

"His Majesty is particularly sensible of the fresh proof he has received of your affectionate attachment to him, in the provision which you have made for enabling the younger branches of his Royal Family to meet the necessary expences of their station.

"*My Lords, and Gentlemen,*

"His Majesty, being always anxious for the restoration

of peace on just and honourable terms, is engaged in discussions with a view to the accomplishment of this most desirable end. Their success must depend on a corresponding disposition on the part of the enemy; and in every event his Majesty looks with the fullest confidence to the continuance of that union and public spirit among all ranks of his people, which can alone give energy to war and security to peace."

His Majesty's commission for proroguing the Parliament was read at the table, the same noble Lords sitting as commissioners.

The Lord Chancellor then said;

"*My Lords, and Gentlemen,*

"By virtue of his Majesty's commission under the Great Seal, to us and other Lords directed, and now read, we do, in his Majesty's name, and in obedience to his commmands, prorogue this Parliament to Thursday, the 28th day of August next, to be then here holden, and this Parliament is accordingly prorogued to Thursday the 28th day of August next.

The Speaker and the Commons withdrew from the bar, and the Lords Commissioners retired from the House.

HOUSE OF COMMONS.

WEDNESDAY, JULY 23.

The Speaker came to the House about three o'clock.—About half past three, Mr. Quarme, the deputy usher of the black rod, entered, and summoned the House to the House of Peers, to hear the royal commission read for passing bills, and proroguing the Parliament. The Speaker went out, accompanied by all the members present, about forty

forty in number. In about twenty miuutes he returned, and standing at the table, with the members around him, he stated that to prevent mistakes, he had procured a copy of his Majesty's speech, which, with their permission, he would read. He then read the speech, and the members separated. Thus ended the fourth session of the second Parliament of the United Kingdom of Great Britain and Ireland.

PUBLIC ACTS.

The following BILLS received the Royal Assent in the course of the Fourth Session of the Second Parliament of the United Kingdom of Great Britain and Ireland.

FEBRUARY 7, 1806.

AN act to empower the auditor of the exchequer to constitute a trustee for the execution of the said office in the case therein mentioned.

FEBRUARY 12.

An act for continuing and granting to his Majesty certain duties upon malt in Great Britain, for the service of the year one thousand eight hundred and six.

An act for continuing and granting to his Majesty a duty on pensions, offices, and personal estates in England, and certain duties on sugar, malt, tobacco, and snuff, in Great Britain, for the service of the year one thousand eight hundred and six.

FEBRUARY 28.

An act for raising the sum of five millions, by loan or exchequer bills, for the service of Great Britain, for the year one thousand eight hundred and six.

An act to enable his Majesty to grant a certain annuity to Lady Viscountess Nelson, in consideration of the eminent services performed by the late Vice-admiral Lord Viscount Nelson to his Majesty and the public.

An act to enable his Majesty to grant a certain annuity to Rear-admiral Sir Richard Strachan, Baronet, in consideration of the eminent services which he has rendered to his Majesty and the public.

MARCH 22.

An act for settling and securing certain annuities on Cuthbert Lord Collingwood, and the several other persons therein described,

in

In consideration of the signal and important service performed by the said Cuthbert Lord Collingwood to his Majesty and the public.

An act to continue several acts for granting certain rates and duties, and allowing certain drawbacks and bounties, on goods, wares, and merchandize, imported into, and exported from, Ireland, and for granting a duty upon malt and spirits made and distilled in Ireland, until the twenty-ninth day of September one thousand eight hundred and six; and for granting certain inland duties of excise and taxes in Ireland, until the twenty-fifth day of March one thousand eight hundred and seven.

An act to continue, until the twenty-fifth day of March one thousand eight hundred and seven, and to amend, several acts for regulating the drawbacks and bounties on the exportation of sugar from Ireland.

An act for further continuing, until the twenty-fifth day of March one thousand eight hundred and seven, an act, passed in the forty-third year of his present Majesty, for discontinuing certain drawbacks and bounties on the exportation of sugar from Great Britain; and for allowing other drawbacks and bounties in lieu thereof.

An act for punishing mutiny and desertion; and for the better payment of the army and their quarters, within the United Kingdom, and the islands of Jersey, Guernsey, Alderney, Sark, and Man.

An act for the regulation of his Majesty's royal marine forces while on shore.

An act for allowing the exportation of corn and other articles for the use of his Majesty's forces and garrisons.

An act to indemnify such persons in the United Kingdom as have omitted to qualify themselves for offices and employments, and for extending the times limited for those purposes respectively, until the twenty-fifth day of December one thousand eight hundred and six; and to permit such persons in Great Britain as have omitted to make and file affidavits of the execution of indentures of clerks to attorneys and solicitors, to make and file the same, on or before the first day of Michaelmas term one thousand eight hundred and six.

An act to continue, until the first day of June one thousand eight hundred and seven, and amend, an act, passed in the thirty-seventh year of his present Majesty, for carrying into execution the treaty of amity, commerce, and navigation, between his Majesty and the United States of America.

An act to permit, until the twenty-fifth day of March one thousand eight hundred and nine, the exportation to the United Kingdom of wool from the British plantations in America.

An act for defraying the charge of the pay and clothing of the militia in Great Britain, for the year one thousand eight hundred and six.

An act to continue, until the twenty-fifth day of March one thousand eight hundred and seven, and amend, so much of an act, made in the thirty-ninth and fortieth year of his present Majesty, as grants certain allowances to adjutants and serjeant-majors of the militia of England, disembodied under an act of the same session of Parliament.

An act for making allowances in certain cases to subaltern officers of the militia in Great Britain, while disembodied.

An act for defraying, until the twenty-fifth day of March one thousand eight hundred and seven, the charge of the pay and clothing of the militia of Ireland; for holding courts martial on serjeant-majors, serjeants, corporals, and drummers, for offences committed during the time such militia shall not be embodied; and for making allowances in certain cases to subaltern officers of the said militia during peace.

An act to extend the provisions of an act, passed in the forty-fourth year of the reign of his present Majesty, for enabling subjects of foreign states to enlist as soldiers in his Majesty's service, and to indemnify those who have advised his Majesty to land such soldiers in this kingdom.

An act to continue, until the twenty-fifth day of March one thousand eight hundred and seven, the operation of an act, passed in the last session of Parliament, to suspend proceedings in actions, prosecutions, and proceedings under certain acts, relating to the woollen manufacture; and also under an act of Queen Elizabeth, so far as the same relates to certain persons employed or concerned in the said manufacture.

An act for allowing, until the signature of preliminary articles of peace, vessels employed in the Greenland whale fishery to complete their full number of men, at certain ports.

An act for further continuing, until the twenty-fifth day of March one thousand eight hundred and eight, an act, made in the thirty-third year of the reign of his present Majesty, for rendering the payment of creditors more equal and expeditious in Scotland.

An act to enable the justices of the peace for the West Riding of the county of York, to provide convenient court houses for holding the general quarter sessions of the peace within the said Riding.

An act for taking down and re-building the body of the parish church of Chertsey, in the county of Surrey, and for repairing the tower

tower thereof, and building a vestry room near or adjoining to the said church.

An act for altering and amending an act, passed in the twelfth year of his present Majesty, intituled, "An act for lighting such part of the town of Islington as lies in the parish of St. Mary, Islington, in the county of Middlesex, and for establishing a regular nightly watch therein;" and for removing and preventing nuisances within the said town and parish.

An act for enlarging the term and powers of two acts, of the fourth and twenty-fifth years of his present Majesty, so far as relate to the road from the south end of the town of Rotherham, in the county of York, to the present turnpike road near Pleasley, in the county of Derby.

An act for enlarging the term and powers of two acts, of the fourth and twenty-fifth years of his present Majesty, for amending and widening the road from Tinsley, in the county of York, to the town of Doncaster, in the said county.

An act for continuing the term, and altering the powers, of three acts, passed in the thirty-second year of his late Majesty, and in the fourteenth and twentieth years of his present Majesty, for repairing the road from Wetherby to Grassington, in the county of York, so far as the said acts relate to the road from Knaresborough to the junction of the road from Ripon to Pateley Bridge.

An act for making and maintaining a road from Great Bridgewater Street, in Manchester, across the river Irwell, through Salford to Eccles, in the county palatine of Lancaster, and several branches of road to communicate therewith.

An act for continuing the term, and altering and enlarging the powers, of two acts, of the fourth and twenty-fifth years of his present Majesty, for repairing the roads leading from the Buck's Head at Watling Street, and other roads therein mentioned, in the county of Salop; and for making a new branch of road adjoining or near to the said roads.

MARCH 31.

An act for raising the sum of ten millions five hundred thousand pounds, by loans or exchequer bills, for the service of Great Britain, for the year one thousand eight hundred and six.

An act for raising the sum of one million five hundred thousand pounds, by loans or exchequer bills, for the service of Great Britain, for the year one thousand eight hundred and six.

An act for continuing, until the twenty-fifth day of March one thousand eight hundred and eleven, so much of an act, made in the fifteenth and sixteenth years of his late Majesty, as relates to the

the landing of rum or spirits, of the British sugar plantations, before payment of the duties of excise.

An act to continue, until the twenty-fifth day of March one thousand eight hundred and thirteen, several laws relating to the transportation of felons and other offenders to temporary places of confinement in England and Scotland.

An act to enable the Huddersfield canal company to raise a further sum of money for the discharge of their debts, and to finish and complete the Huddersfield canal, and for amending the several acts passed for making and maintaining the said canal.

An act for making and maintaining a road from the town of Huddersfield, in the West Riding of the county of York, to a place called New Hey, in the parish of Rochdale, in the county palatine of Lancaster, and for making and maintaining certain branches of road to communicate therewith.

An act to continue and amend two acts, passed in the fifth and twenty-sixth years of his present Majesty, for repairing several roads leading from Lymington, in the county of Southampton; and for amending and widening the road to Wilverley Post, in the New Forest.

An act for continuing the term, and altering and enlarging the powers, of two acts, passed in the fourth and twenty-fifth years of his present Majesty, for repairing and widening several roads leading from Callington, in the county of Cornwall.

APRIL 2.

An act for reviving and continuing several laws of customs,—relating to the establishing courts of judicature in the island of Newfoundland; and to the prohibiting the exportation from, and permitting the importation to, Great Britain, of corn, and for allowing the importation of other articles of provision, without payment of duty, until the twenty-fifth day of March one thousand eight hundred and nine; and for continuing several laws relating to the granting a bounty upon certain species of British and Irish linens exported from Great Britain, and taking off the duties on importation into Great Britain of foreign raw linen yarns made of flax; to the granting a bounty upon the importation into Great Britain of hemp and rough and undressed flax from his Majesty's colonies in America; and to the encouragement of the Greenland whale fisheries; and for reviving and continuing several laws relating to the regulating the prices at which corn and grain may be exported from Great Britain to Ireland, and from Ireland to Great Britain; and to the admission to entry in Great Britain of oil and blubber of Newfoundland, taken by his Majesty's subjects carrying on the fishery from, and residing in, the said island; and for continuing

tinuing an act of the twenty-third year of his present Majesty, for the more effectual encouragement of the manufactures of flax and cotton in Great Britain; and for reviving and continuing several laws relating to the permitting the importation into Great Britain of hides and other articles in foreign ships; and to the prohibiting the exportation from Ireland of corn or potatoes, or other provisions, and to the permitting the importation into Ireland of corn, fish, and provisions, without payment of duty, until the twenty-fifth day of March one thousand eight hundred and eight; and for reviving and continuing an act, passed in the Parliament of Ireland, in the twenty-fifth year of his present Majesty, for the encouragement of the flaxen and hempen manufactures of Ireland, until the twenty-fifth day of March one thousand eight hundred and twenty-seven; and for amending and further continuing an act, made in the seventh year of his present Majesty, for the free importation into Great Britain of cochineal and indigo, until the twenty-fifth day of March one thousand eight hundred and nine.

An act for enabling the trustees for executing an act, passed in the thirty-eighth year of his present Majesty, intituled, "An act for rebuilding the workhouse of the parish of Saint Sepulchre, in the city of London, and for the better relief and employment of the poor in the said parish," to raise a further sum of money for completing the purposes of the said act.

An act for making and maintaining a road from Millbridge to Cleckheaton, in the parish of Birstall, all in the West Riding of the county of York.

An act for continuing the term, and altering and enlarging the powers, of so much of two acts, passed in the fifth and twenty-sixth years of his present Majesty, for repairing the road from Bawtry Bridge, in the county of Nottingham, to Hainton, in the county of Lincoln, and other roads therein mentioned, as relates to the first and second districts of roads therein described.

APRIL 21.

An act for raising the sum of twenty millions by way of annuities.

An act to enable the commissioners of his Majesty's treasury of Ireland to issue treasury bills, on the credit of such aids or supplies as have been or shall be granted by Parliament for the service of Ireland, for the year one thousand eight hundred and six, and for making forth duplicates of treasury bills lost or destroyed.

An act to continue, until the twenty-fifth day of March one thousand eight hundred and seven, an act, made in the forty-fourth year of his present Majesty, for empowering his Majesty to accept the

the services of such parts of his militia forces in Ireland, as might voluntarily offer themselves to be employed in Great Britain.

An act to authorize his Majesty, until the twenty-fifth day of March one thousand eight hundred and seven, to make regulations respecting the trade and commerce to and from the Cape of Good Hope.

An act for further continuing, until the twenty-fifth day of March one thousand eight hundred and seven, an act, made in the thirty-ninth year of his present Majesty, for the more effectual encouragement of the British fisheries.

An act for the regulation of the oyster, sole, and salmon fisheries, within the harbour of Milford, in the county of Pembroke, and the rivers running into the said harbour.

An act for enabling the company of proprietors of the Rochdale canal more effectually to provide for the discharge of their debts, and to amend the several acts passed for making and maintaining the said canal.

MAY 5.

An act for raising the sum of three millions by loans or exchequer bills, for the service of Great Britain, for the year one thousand eight hundred and six.

An act for repealing the several duties of customs upon tea imported into Great Britain, and granting a duty in lieu thereof, and for granting to his Majesty additional duties of excise on tea.

An act for granting to his Majesty, during the present war, and for six months after the expiration thereof by the ratification of a definitive treaty of peace, additional duties on certain goods, wares, and merchandize, imported into, exported from, or brought or carried coastwise within Great Britain.

An act for granting to his Majesty, until twelve months after the ratification of a definitive treaty of peace, additional duties of excise on tobacco and snuff.

An act for granting to his Majesty certain stamp duties on appraisements, and on licences to appraisers in Great Britain.

An act to enable his Majesty to grant a certain annuity to Vice-admiral Sir John Thomas Duckworth, knight of the most honourable order of the bath, in consideration of the eminent services which he has rendered to his Majesty and the public.

An act for carrying to the consolidated fund of Great Britain the duties on wine, granted by two acts of the forty-third and forty-fourth year of his present Majesty.

An act to repeal so much of an act of the last session of Parliament,

ment, as charges a duty of three shillings upon certain tenements or dwelling houses in Ireland.

An act to revive and amend so much of an act, made in the forty-third year of his present Majesty, for granting certain stamp duties in Ireland, as provides for the exempting from the said duties bank notes and bank post bills issued by the governor and company of the bank of Ireland.

An act for the better regulation of the office of treasurer of the ordnance.

An act to declare the law with respect to witnesses refusing to answer.

An act for better supplying the inhabitants of the town and township of Colne, in the county palatine of Lancaster, with water.

An act for amending, altering, and enlarging, the powers of several acts, passed for paving, pitching, cleansing, and lighting, the streets and other places within the city of Bristol and liberties thereof.

An act to continue and amend an act, made in the twenty-fifth year of his present Majesty, for repairing the roads leading from Lutterworth Hand, on the Watling Street road, through Churchover, Brownsover, Newbold upon Avon, Rugby, and Bilton, in the county of Warwick, to the turnpike road between Dunchurch and Hillmorton, in the said county.

An act to extend the provisions of so much of an act, passed in the thirty-ninth and fortieth years of his present Majesty, as relates to repairing certain turnpike roads in the county of Aberdeen, to other roads within the said county.

An act to continue the term, and enlarge the powers, of two acts, passed in the fifth and twenty-fourth years of his present Majesty, for repairing and widening the road from Alford to Boston, and from thence to Cowbridge, in the county of Lincoln.

MAY 23.

An act for raising a certain sum of money by way of annuities or debentures, for the service of Ireland.

An act for raising the sum of five hundred thousand pounds by treasury bills, for the service of Ireland, for the year one thousand eight hundred and six.

An act for increasing the salaries of the Judge of the court of admiralty in Scotland, and of the judges of the commissary court in Edinburgh.

An act for extending the annuity granted to the Earl of St. Vincent

cent to the two next persons to whom the title of Viscount St. Vincent is limited.

An act for continuing an act, made in this session of Parliament, intituled, "An act for punishing mutiny and desertion, and for the better payment of the army and their quarters, within the United Kingdom, and the islands of Jersey, Guernsey, Alderney, Sark, and Man."

An act to repeal several acts, passed in the forty-third and forty-fourth years, respectively, of his present Majesty's reign, for the raising and establishing an additional force for the defence of the realm.

An act to prevent the importation of slaves by any of his Majesty's subjects into any islands, colonies, plantations, or territories, belonging to any foreign sovereign, state or power; and also to render more effectual a certain order, made by his Majesty in council on the fifteenth day of August one thousand eight hundred and five, for prohibiting the importation of slaves (except in certain cases) into any of the settlements, islands, colonies, or plantations on the continent of America, or in the West Indies, which have been surrendered to his Majesty's arms during the present war, and to prevent the fitting out of foreign slave ships from British ports.

An act for indemnifying all persons who have been concerned in advising, issuing, or carrying into execution, any order or orders for permitting the importation and exportation of certain goods and commodities in foreign bottoms into and out of his Majesty's West India islands, and the colonies, settlements, and territories which have been conquered by his Majesty's arms.

An act for the more speedy trial of offences committed in distant parts upon the sea.

An act to enable the justices of the peace for the county of York to provide a convenient house, with suitable accommodations, for his Majesty's judges of the assizes of the said county.

An act for more effectually preventing frauds and abuses in the admeasurement and delivery of coals, within the several parishes lying between the parishes of Egham and Rotherhithe, both inclusive, in the county of Surrey.

An act for altering and enlarging the powers of several acts, made in the fifth and twenty-fifth years of King George the Second, and in the third, eighteenth, and forty-first years of his present Majesty, for enlarging the pier and harbour of Scarborough, in the county of York.

An act for erecting a pier and other works, for the improvement of the harbour of Porthdinlleyn, in Carnarvon bay, in the county of Carnarvon.

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An act to alter and amend an act, passed in the forty-third year of his present Majesty, intituled, "An act for improving and rendering more commodious the port and harbour of Bristol," and for extending the powers and provisions of the said act.

An act for amending an act, passed in the eleventh year of his present Majesty, intituled, "An act for cleansing and lighting the streets of the town of South Leith, the territory of St. Anthony's and Yardheads, thereunto adjoining, and for supplying the several parts thereof with fresh water," and for the better regulating the police of the said town and territory, and of the town of North Leith, Coalhill and Citadel, and for other purposes therein mentioned relating thereto.

An act for the more speedy and easy recovery of small debts in the town and borough of Grimsby, and the liberties thereof, and in the several parishes and places therein mentioned, in the county of Lincoln.

An act for building a new gaol for the county of the city of Cork, and for supplying the said gaol with water.

An act for better repairing the streets, lanes, and passages, within the city of Exeter, and county of the said city, and for amending an act, passed in the first year of his present Majesty, intituled, "An act for enlightening the streets within the city of Exeter and suburbs thereof," and for the better regulation of the watch within the said city and county, and for otherwise improving the same.

An act for amending, and rendering more effectual, an act, passed in the thirty-second year of his present Majesty, for better paving, cleansing, and otherwise improving, the borough of Boston, in the county of Lincoln.

An act for amending, and rendering more effectual, an act, passed in the sixteenth year of his present Majesty, for lighting and watching the streets, lanes, and other public passages and places, within the borough of Boston, in the county of Lincoln, and for removing and preventing nuisances therein.

An act for paving, cleansing, lighting, watching, and regulating the streets, lanes, and other public passages and places within the city of Lichfield, and the suburbs thereof.

An act for paving, lighting, cleansing, watching, repairing, and improving, the roads, streets, lanes, and other public passages and places, within the borough of Lewes, in the county of Sussex, and for removing and preventing nuisances and encroachments therein.

An act for the more effectual relief and employment of the poor, in the parishes of Buxton, Hevingham, Marsham, Stratton Strawless, Swanton Abbott, Burgh next Aylsham, Skeyton, Brampton, and Oxnead, in the county of Norfolk.

An act for taking down and rebuilding the bridge across the river Severn, at Gloucester, called the Westgate Bridge, and for opening convenient avenues thereto.

An act for repealing two acts, passed in the second and twenty-fourth years of his present Majesty, for repairing the road from Cosham, in the county of Southampton, to the city of Chichester, and for more effectually repairing the said road.

An act for enlarging the term and powers of an act, passed in the twentieth year of his present Majesty, for more effectually repairing the roads from Warwick to Paddle Brook, and from Warwick to Stratford upon Avon, in the counties of Warwick and Worcester, and for repealing the laws then in force relating to the said roads.

An act for more effectually repairing and amending certain roads in the counties of Roxburgh and Berwick, and for better regulating the statute labour, and making and repairing the high roads and bridges in the said county of Roxburgh.

An act for continuing the term, and altering and enlarging the powers, of two acts, passed in the second and seventeenth years of his present Majesty, for repairing the road leading from the turnpike road on Farrand's Common, through Holt and Melksham, to Homan's Stile, in the parish of Lacock, in the county of Wilts.

An act for more effectually repairing, widening, and improving, the roads from the city of Gloucester to the top of Birdlip Hill, and from the foot of the said hill to the top of Crickley Hill, in the county of Gloucester.

An act to continue the term, and enlarge the powers, of two acts, passed in the fourth and twenty-fifth years of his present Majesty, for repairing and widening the roads from the High Bridge in Spalding to a certain place called Tydd Goat, in the county of Lincoln, and from Sutton Saint Mary's to Sutton Wash, in the said county.

An act for continuing the term, and altering and enlarging the powers, of an act, passed in the twenty-sixth year of his present Majesty, for amending and widening several roads leading from and through the town of Wiveliscombe, in the county of Somerset, and other roads therein mentioned, and for amending and widening certain other roads adjoining thereto.

An act for amending, and keeping in repair, the road leading from the guide post at the top of Stanwix Bank, near the city of Carlisle, to Westlinton Bridge, in the county of Cumberland.

JUNE 9.

An act to provide for the payment, at the bank of Ireland, of the interest on certain debentures now payable at the exchequer of Ireland,

Ireland, and also for altering the days of payment of the interest or dividends on certain annuities in Ireland.

An act for establishing certain regulations in the collection and management of his Majesty's revenues of customs, excise, and taxes, in Ireland.

An act to amend an act, made in the last session of Parliament, for the collection of the malt duties, in Ireland, and regulating the trade of a maltster.

An act to amend an act, of the last session of Parliament, for continuing and amending several acts for regulating and securing the collection of the duties on spirituous liquors distilled in Ireland, and the warehousing of such spirits for exportation.

An act to regulate the packing of butter in Ireland for sale or exportation.

An act to authorize certain public officers to send and receive letters and packets by the post free from the duty of postage.

An act for amending an act, passed in Ireland in the twenty-ninth year of King George the Second, intituled, "An act for amending and making more effectual the several laws relating to the first fruits, payable out of ecclesiastical benefices in this kingdom, and for the better regulation and management of the charitable bequest of Doctor Hugh Boulter, late Lord Archbishop of Armagh, for augmenting the maintenance of the poor clergy in this kingdom," so far only as relates to the said charitable bequest.

An act to alter and amend several acts, passed in the fortieth, forty-fourth, and forty-fifth years of his present Majesty, for making wet docks, basons, cuts, and other works, for the greater accommodation and security of shipping, commerce, and revenue, within the port of London; and for other the purposes in the said acts mentioned; and for enlarging the powers thereby granted to the London dock company.

An act for more effectually paving, and keeping in repair, the footways and crosspaths, and lighting and cleansing the streets, lanes, and other public passages and places, within the town of Uxbridge, in the county of Middlesex, and for removing and preventing nuisances and annoyances therein, and for watching and watering the said town.

An act for repairing the parish church of Great Yarmouth, in the county of Norfolk, and rebuilding the tower thereof.

An act for maintaining a wooden bridge over the river Clyde, from the city of Glasgow to Hutchison Town, in the county of Lanark.

An act for continuing the term, and altering and enlarging the powers, of several acts, passed for repairing the roads from the

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town of Selby to the town of Leeds, and other roads therein mentioned, so far as the same relate to the roads leading from Leeds to Halifax, and the roads called Bowling Lane and Little Horton Lane, all in the West Riding of the county of York.

An act for more effectually improving the roads from Manchester, in the county palatine of Lancaster, through Oldham to Austerlands, in the parish of Saddleworth, in the county of York, and from Oldham to Ashton under Lyne, and from Oldham to the village of Royton, in the said county palatine of Lancaster.

JUNE 13.

An act for granting to his Majesty, during the present war, and until the sixth day of April next after the ratification of a definitive treaty of peace, further additional rates and duties in Great Britain on the rates and duties on profits arising from property, professions, trades, and offices; and for repealing an act, passed in the forty-fifth year of his present Majesty, for repealing certain parts of an act, made in the forty-third year of his present Majesty, for granting a contribution on the profits arising from property, professions, trades, and offices; and to consolidate, and render more effectual, the provisions for collecting the said duties.

An act for granting to his Majesty, until the twenty-ninth day of September one thousand eight hundred and six, certain duties on the importation, and to allow certain drawbacks and bounties on the exportation, of certain sorts of iron, sugar, and tea, into and from Ireland.

An act to repeal the several duties under the care of the commissioners for managing the duties upon stamped vellum, parchment, and paper, in Ireland, and to grant new and additional duties in lieu thereof; and to amend the laws relating to the stamp duties in Ireland.

An act to repeal several acts, passed in the forty-third and forty-fourth years of his present Majesty, for raising and establishing an additional force in Ireland for the defence of the realm.

An act for the more easy and speedy recovery of small debts within the Isle of Wight, in the county of Southampton.

An act for better paving, lighting, cleansing, watching, and otherwise improving, the city of Norwich.

An act for enlarging the powers of an act, passed in the forty-third year of his present Majesty, for rebuilding the tower of the parish church of Saint Peter, in the borough and liberty of Saint Alban, in the county of Hertford, together with the chancel thereof, and for more effectually repairing the said parish church.

An act for more effectually repairing the road from Dunchurch to

to Hillmorton, in the county of Warwick, and from thence to Saint James's End, in the parish of Duston, in the county of Northampton.

An act for more effectually repairing the roads from the north west parts of the county of Lincoln, through Nettleham Fields, Wragby Lane, and Baumber Fields, to the north east part of the said county, and other roads therein described, in the said county.

An act for altering, amending, and consolidating several acts, so far as the same relate to the road from Renfrew to Greenock, and from Kilbarchan to Inchinnan Bridge, in the county of Renfrew.

JUNE 20.

An act for granting to his Majesty certain duties upon malt and spirits made in Ireland.

An act for punishing mutiny and desertion, and for the better payment of the army and their quarters.

An act for making better provision for soldiers.

An act to continue, until the twenty-fourth day of June one thousand eight hundred and seven, and amend an act, made in the last session of Parliament, for appointing commissioners to inquire and examine into any irregularities and abuses which might have taken place in conducting and managing the paving, cleansing, and lighting the streets of Dublin.

An act for making and maintaining a navigable canal from the harbour of Ardrossan, in the county of Ayr, to Tradestown, near Glasgow, in the county of Lanark, and a collateral cut from the said canal to the coal works at Hurlet, in the county of Renfrew.

An act to alter, explain, amend, and enlarge the powers of an act, passed in the tenth year of his late Majesty, to enable the proprietors and inhabitants of the houses in Red Lion Square, in the county of Middlesex, to make a rate on themselves for raising money sufficient to inclose, pave, watch, clean, and adorn, the said square.

An act for more effectually maintaining, regulating, and employing, the poor within the parish of Saint George, in the county of Middlesex, and for cleansing and lighting the squares, streets, and other passages and places, and for keeping and regulating a nightly watch within such parts of the said parish as are not within the liberty of the tower of London.

An act for opening and improving certain streets in the city of Glasgow, and for removing the slaughter houses in the said city to a more convenient situation.

JULY 3.

An act for granting to his Majesty an additional duty on the amount of the duties under the management of the commissioners for the affairs of taxes therein mentioned.

An act for enabling his Majesty to permit the importation and exportation of certain goods and commodities into and from the port of Road Harbour, in the island of Tortola.

An act to provide for the more effectual examination of accounts of the expenditure of the public money in the West Indies, and for the better discovery of frauds and abuses therein.

An act to amend an act, made in the last session of Parliament, for regulating licences for the sale of spirituous liquors, wine, beer, ale, and cyder, by retail, in Ireland.

An act to amend several acts for the encouragement of finding and working mines and minerals within Ireland.

An act for granting rates of postage on the conveyance of letters and packets to and from Gibraltar and the island of Malta.

An act for permitting Prussian yarn to be imported in foreign ships on payment of the like duties as if imported in British ships.

An act for the better regulation of the officer of receiver general of the duties of excise in England.

An act for the better regulation of the officer of receiver general of the stamp duties in England.

An act for continuing the encouragement of persons making discoveries for finding the longitude at sea, or other useful discoveries and improvements in navigation, and for making experiments relating thereto; and for discharging certain debts incurred by the commissioners of the longitude in carrying the acts relating thereto into execution.

An act to confirm an agreement entered into between the commissioners of his Majesty's treasury and the most noble Augustus Henry Duke of Grafton, in pursuance of an act of the forty-third year of his present Majesty.

An act to explain, amend, and render more effectual, two acts, passed in the twenty-second and thirty-second years of his late Majesty, for the more easy and speedy recovery of small debts within the town and borough of Southwark, and the several parishes and places in the said acts mentioned.

An act to explain, amend, and extend the powers and provisions of an act, passed in the thirty-first year of his late Majesty, for the more easy and speedy recovery of small debts within the western division of the hundred of Brixton, in the county of Surrey.

An act for the better relief, maintenance, and employment of the

the poor within the parish of Saint Mary Whitechapel, in the county of Middlesex; for cleansing and lighting the squares and other passages and places, and keeping a nightly watch; for raising money for repairing the highways in certain parts of the said parish; and for raising money to repair the church of the said parish.

An act for altering and amending an act, made in the thirty-fifth year of his present Majesty, for watching, paving, cleansing, and lighting, the parish of Saint Mary-le-bone, in the county of Middlesex, and for the better relief and maintenance of the poor thereof.

An act to provide a fund for repairing and improving the harbour of Dunbar, and other public works, within the burgh of Dunbar.

An act for improving the Birmingham canal navigations.

An act for better enabling the company of proprietors of the Croydon, Merstham, and Godstone iron railway to complete the same.

An act for better enabling the company of proprietors of the Surrey iron railway to complete the same.

An act for more effectually draining and preserving certain fen lands lying in the south level, part of the great level of the fens called Bedford Level, between Brandon River and Sam's Cut Drain.

An act for altering, amending, and rendering more effectual, two acts of the twenty-second year of King George the Second and the seventeenth year of his present Majesty, so far as relate to draining and preserving certain fen lands and low grounds lying in the parishes of Sutton, Mepal, Witcham, Chatteris, and a place called Byal Fen, in the Isle of Ely, and county of Cambridge, and for adding thereto certain other fen lands in Sutton and Chatteris lying contiguous to the lands described in the said acts.

An act to enable the several persons therein named to dispose of several houses in Pickett Street, Temple Bar, in the parish of Saint Clement Danes, in the county of Middlesex, and in Skinner Street, Snow Hill, and on Snow Hill, and in Fleet Market, in the parish of Saint Sepulchre, in the city of London, by lottery.

An act for enlarging the term and powers of an act, of the seventeenth year of his present Majesty, for repairing the road leading from the north side of Cavendish Bridge, in the county of Derby, through the town of Derby, to Brassington, in the said county.

An act for continuing the term, and altering and enlarging the powers, of two acts, passed in the second and twenty-sixth years of his present Majesty, for repairing the roads from a certain bridge, called James Deeping Stone Bridge, to Peter's Gate, in

Stamford, in the county of Lincoln, and from thence to the south end of the town of Morcot, in the county of Rutland.

An act for enlarging the term and powers of two acts, of the fourth and twenty-fifth years of his present Majesty, for repairing the road from the end of Stanbridge Lane, in the parish of Romsey, to the turnpike road at Middle Wallop, and other roads therein mentioned, in the county of Southampton.

An act for amending and repairing of the road leading from the town of Kilcullen, in the county of Kildare, to the town of Carlow.

An act for more effectually repairing and improving the road leading from the west end of the town of Beaconsfield, in the county of Buckingham, to within half a mile of the rive Colne, near Uxbridge, in the county of Middlesex.

An act for continuing and amending two acts, passed in the thirty-second year of King George the Second, and in the fourteenth year of his present Majesty, for repairing several roads therein described, so far as the said acts relate to the district of road between Pateley Bridge and Grassington, in the county of York.

JULY 12.

An act to grant certain allowances out of the duties under the management of the commissioners for the affairs of taxes, to persons in respect of the number of their children.

An act to provide for the regulating and securing the collection of the duties on spirits distilled in Ireland, and the warehousing of such spirits for exportation.

An act more effectually to regulate the collection of the duties on goods, wares, and merchandize, imported or exported into or from Ireland, and the payment of bounties, allowances, and drawbacks thereon.

An act for abolishing fees received by certain officers and other persons employed in the service of the customs in the port of London, and for regulating the attendance of officers and others so employed.

An act for the better regulation of the office of receiver general of the post office in England.

An act for better encouraging the manufacture of thread lace in Great Britain.

An act for reviving and continuing, until the twenty-fifth day of March, one thousand eight hundred and thirteen, an act, made in the forty-third year of his present Majesty, for regulating the manner in which the united company of merchants of England trading

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to the East Indies, shall hire and take up ships for their regular service.

An act for enabling his Majesty to grant the castle of Norwich, with the common gaol, Castle Hill, and certain land adjacent thereto, in the county of Norfolk, and for vesting the same in his Majesty's justices of the peace for the said county for the use thereof, and for other purposes relating thereto.

An act for altering and enlarging the powers of an act, made in the forty-third year of his present Majesty, for the further improvement of the Port of London, by making docks and other works at Blackwall, for the accommodation of the East India shipping in the said port.

An act for the more easy and speedy recovery of small debts within the townships of Stockport and Brinnington, and within the hamlets of Edgeley and Brinksway, all in the county palatine of Chester.

An act for continuing and amending several acts of Parliament for improving the port, harbour, and town of Whitehaven, in the county of Cumberland.

An act for paving, lighting, cleansing, and watching the burgh of Paisley, and suburbs thereof; for improving and forming certain streets, and erecting a bridewell or workhouse therein; and for regulating the police and markets.

An act for amending and enlarging the powers of an act, passed in the twenty-sixth year of his present Majesty, for paving the footways and passages in the town of Cheltenham, in the county of Gloucester, and for better cleansing and lighting the said town, and for removing and preventing nuisances and annoyances therein.

An act for paving, cleansing, lighting, and watching the town of Daventry, in the county of Northampton, and for regulating the market there; and for enabling the bailiff, burgesses, and commonalty of the borough of Daventry, to purchase the moot hall, and to rebuild the same.

An act for supplying with water the inhabitants of Kensington, Hammersmith, Brentford, Battersea, Putney, Richmond, and several other parishes and places in the counties of Middlesex and Surrey.

An act to alter and amend the several acts passed for making and maintaining the Forth and Clyde navigation.

An act for improving the navigation of the river Ribble, in the county palatine of Lancaster.

An act for altering, amending, and rendering more effectual, an act, passed in the thirtieth year of his present Majesty, for improving the navigation of the river Ouse, in the county of Sussex.

An act for altering and enlarging the provisions of an act, passed in the parliament of Ireland, in the thirty-third year of his present Majesty, for making and constituting a new parish, by the name of the parish of Saint George, on the ground adjoining the city of Dublin therein described, and for erecting and building a parish church therein.

An act to enable the vestrymen of the parish of Saint Mary le Bone, in the county of Middlesex, to provide an additional cemetery or burial ground for the said parish, and to erect a chapel therein, and also other buildings and conveniences for the residence of a clergyman, clerk, and sexton, and for other purposes relating thereto.

An act for altering and enlarging the term and powers of two acts, made in the forty-second and forty-fourth years of the reign of his present Majesty, for making, maintaining, watching, lighting, and watering, several roads, to communicate with the West India docks in the Isle of Dogs, in the county of Middlesex, and also of several acts for repairing the Cannon Street road, in the said county; and also for making, maintaining, watching, lighting, and watering, a new branch, to communicate with the East India docks.

An act to continue and amend two acts, passed in the third and fifteenth years of his present Majesty, for repairing the road from Newmarket, over Newmarket Heath, to the turnpike road leading to Stump Cross, in the counties of Cambridge and Suffolk, and other roads mentioned in the said acts.

An act for more effectually improving the roads leading to and from the port, harbour, and town of Whitehaven, in the county of Cumberland.

JULY 16.

An act for repealing the duties of excise on stills used for distilling or rectifying low wines or spirits for consumption in Scotland, on worts or wash made for extracting spirits, and on spirits made for consumption in Scotland; and for granting and securing other duties in lieu thereof; and for better securing the duties on foreign spirits and on malt.

An act to enable the lords commissioners of his Majesty's treasury to issue exchequer bills on the credit of such aids or supplies as have been, or shall be, granted by parliament for the service of Great Britain for the year one thousand eight hundred and six.

An act for allowing, until the first day of August one thousand eight hundred and seven, the importation of certain fish from Newfoundland and the coast of Labrador, and for granting a bounty thereon.

An act to provide for the better execution of the several acts relating to the revenues, matters, and things, under the management of the commissioners of customs and port duties, and of the commissioners of inland excise and taxes in Ireland.

An act to enable the commissioners for executing the office of lord high treasurer of Ireland to contract for the purchase of the duties of prizage and butlerage in Ireland.

An act for rectifying mistakes in the names of the commissioners appointed by an act, made in the last session of parliament, intituled, "An act for appointing commissioners for putting into execution an act of this session of parliament, for continuing and granting to his Majesty a duty on pensions, offices, and personal estates, in England, and certain duties on sugar, malt, tobacco, and snuff, in Great Britain, for the service of the year one thousand eight hundred and five; and an act, made in the thirty-eighth year of his present Majesty, for granting an aid to his Majesty, by a land tax to be raised in Great Britain, for the service of the year one thousand seven hundred and ninety eight;" and for appointing other commissioners, together with those named in the first-mentioned act, to put in execution an act of this session of parliament, for continuing and granting to his Majesty a duty on pensions, offices, and personal estates in England, and certain duties on sugar, malt, tobacco, and snuff, in Great Britain, for the service of the year one thousand eight hundred and six; also the said act, made in the thirty-eighth year of his present Majesty; and for indemnifying such persons as have acted as commissioners for executing the said acts.

An act to enable his Majesty annually to train and exercise a proportion of his subjects in England, under certain regulations, and more effectually to provide for the defence of the realm.

An act for the return of correct lists of persons liable to serve in the militia under an act, passed in the forty-second year of his present Majesty, and to suspend the ballot for the militia in England for two years.

An act to permit the free interchange of every species of grain between Great Britain and Ireland.

An act for making additional and further provisions for the effectual performance of quarantine in Great Britain.

An act for allowing a bounty on the exportation of oil of vitriol made in Great Britain.

An act to amend three acts, made in the thirty-fifth, forty-first, and forty-second years of his present Majesty, relating to the conveyance of letters and packets by the post.

An act to vest certain messuages, lands, tenements, and hereditaments, in trustees, for better securing his Majesty's docks, ships,

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and stores, at Portsmouth, and for extending the lines and works at Dover.

An act for the more effectually regulating and providing for the relief of the poor, and the management of infirmaries and hospitals in Ireland.

An act to amend the laws respecting the accounting for money presented in Ireland, for the making, repairing, widening, or fencing of public roads, and the building and repairing of bridges, pipes, or gullets.

An act for improving the funds of the chest at Greenwich, and amending an act, passed in the forty-third year of his present Majesty, relating to the said chest.

An act to empower the commissioners and governors of the royal hospital for seamen at Greenwich, in the county of Kent, to make certain allowances to old, infirm, or wounded or disabled officers in the royal navy, and to provide a fund for the payment of such allowances, and for the increase of pensions to disabled seamen and marines.

An act for consolidating and rendering more effectual the several acts for the purchase of buildings, and further improvement of the streets and places near to Westminster Hall, and the two houses of parliament.

An act for continuing, until the first day of August one thousand eight hundred and seven, an act, of the last session of parliament, for allowing, under certain restrictions, the bringing a limited quantity of coals, culm, or cinders, to London and Westminster, by inland navigation.

An act for re-building the court house and butter market of the town of Croydon, in the county of Surrey, for providing an additional burial ground, and for selling certain waste lands belonging to the said parish.

JULY 21.

An act for reducing the bounty payable on the exportation of refined sugar from Great Britain, and for allowing the like bounty on the exportation of sugar candy as is payable on refined sugar.

An act for granting, during the continuance of the present war, and until six months after the ratification of a definitive treaty of peace, an additional bounty on the exportation of the silk manufactures of Great Britain.

An act to continue several acts for granting certain rates and duties, and allowing certain drawbacks and bounties on goods, wares, and merchandize, imported into, and exported from, Ireland, until the fifth day of July one thousand eight hundred and seven;

seven; and several acts for granting duties upon malt and spirits made and distilled in Ireland, and for the better collection and security of the revenues of customs and excise in Ireland, and for preventing frauds therein, until the twenty-ninth day of September one thousand eight hundred and seven, and to amend several of the said acts.

An act for erecting a lighthouse on the Bell or cape rock on the eastern coast of Scotland; and for enabling the commissioners of the treasury to advance a certain sum of money out of the consolidated fund of Great Britain towards that purpose.

An act for authorizing his Majesty in council to allow, during the present war, and for six months after the ratification of a definitive treaty of peace, the importation and exportation of certain goods and commodities in neutral ships into and from his Majesty's territories in the West Indies, and continent of South America.

An act to enable his Majesty to accept the services of volunteers from the militia of Ireland, under certain restrictions.

An act for regulating the rank of officers in yeomanry and volunteer corps.

An act for making provision for such masters in ordinary of the high court of chancery as from age or infirmity shall be desirous of resigning their offices, with the approbation of the said court, and for augmenting the income of the masters in ordinary of the said court.

An act to provide additional salaries to the present clerks in the office of the accountant general of the high court of chancery, and to provide additional clerks for the said office with salaries, and to make other payments in respect of the said office.

An act to amend several acts for the sale of his Majesty's quit rents, crown, and other rents, and of certain lands forfeited and undisposed of in Ireland.

An act to amend the laws of excise, so far as relates to prosecutions for penalties; to the counterfeiting the stamps on the wrappers of paper; and to the punishing persons guilty of perjury.

An act to permit, for and during the continuance of the present war, French wines to be imported from Ireland into Great Britain, in bottles or flasks, under certain restrictions.

An act to amend an act, passed in the last session of parliament, for increasing the drawbacks on linens exported from Great Britain to the West Indies.

An act to repeal so much of an act, made in the first year of King James the Second, as prohibits the importation of gunpowder, arms, and utensils of war, from Ireland.

An act to permit raisins, currants, and figs, to be exported from Great Britain, duty free.

An act to extend the time for purchasing the legal quays and warehouses in the port of London, and for authorizing the lords commissioners of his Majesty's treasury to purchase Somers and Lyons quays, in the said port.

An act to allow certain articles to be exported from Gibraltar and Malta direct to his Majesty's colonies in North America, in return for British American fish.

An act to permit, until the first day of January one thousand eight hundred and nine, the importation of masts, yards, and bowsprits, or of timber fit for naval purposes, from the British colonies in North America, duty free.

An act to amend and extend the benefits of an act, made in the thirty-fifth year of his present Majesty, to enable petty officers, seamen, and marines, serving in his Majesty's navy, to allot part of their wages, or pay, for the maintenance of their wives and families.

An act for the relief of certain insolvent debtors.

An act to revive and amend an act, made in the parliament of Ireland, for enabling the Lord Lieutenant to appoint commissioners for enquiring into the several funds and revenues granted for the purposes of education, and into the state and condition of all schools in Ireland.

An act, for enabling the commissioners acting in execution of an agreement made between the East India company and the private creditors of the nabobs of the Carnatic, the better to carry the same into effect.

An act to prohibit, for two years after the conclusion of the present session of parliament, any ships to clear out from any port of Great Britain for the coast of Africa, for the purpose of taking on board negroes, unless such ships shall have been previously employed in the African trade, or contracted for, for that purpose.

An act for making compensation to the proprietors of such lands and hereditaments as have been purchased for better securing his Majesty's docks, ships, and stores at Chatham, and for the use of his Majesty's ordnance at Warley Common and Woolwich, in pursuance of an act, made in the forty-fourth year of his present Majesty.

An act for increasing the rates of subsistence to be paid to innkeepers, and others, on quartering soldiers.

An act for altering and enlarging the powers of an act, made in the thirty ninth year of his present Majesty, intituled, "An act for rendering more commodious, and for better regulating, the port of London," so far as the same relates to the compensations to be made by certain commissioners therein named.

An

An act for exonorating the estates of Percival Lewis, Esquire, and Marianne Lewis, spinster, in the parish of Putney, in the county of Surrey, from the claims of his Majesty against the estate of Edward Lewis, esquire, deceased.

An act to alter, amend, and enlarge, the powers of an act, passed in the twenty-first year of his present Majesty, for the more easy and speedy recovery of small debts within the town and liberties of Beverley, in the county of York.

An act for ornamenting and embellishing the centre or area of Bloomsbury Square, in the parish of Saint George Bloomsbury, in the county of Middlesex, and for preventing hackney coaches standing or plying for hire in and near the said square.

An act for supplying the city and suburbs of Glasgow with water.

An act for continuing the term, and enlarging the powers, of an act, passed in the twenty-fifth year of his present Majesty, for amending the roads from a place called Piffs Elm, in the Tewkesbury turnpike road, through Cheltenham, to Elston church, and other roads therein mentioned, in the county of Gloucester.

An act for assessing the proprietors of lands in the county of Caithness, towards the expence of supporting such roads and bridges therein as shall be approved of by the commissioners for making roads and building bridges in the highlands of Scotland.

An act for continuing the term, and altering and enlarging the powers of two acts, passed in the third and twenty-fourth years of his present Majesty, for repairing several roads leading from the town of Barnstaple, in the county of Devon.

JULY 22.

An act to enable his Majesty to settle annuities on certain branches of the royal family.

An act for granting to his Majesty a certain sum of money, out of the consolidated fund of Great Britain, for the year one thousand eight hundred and six, and for further appropriating the supplies granted in this session of parliament.

An act for granting to his Majesty a sum of money to be raised by lotteries.

An act for settling and securing a certain annuity on the Earl Nelson, and the heirs male of his body; and such other persons to whom the title of Earl Nelson may descend, and for granting a sum of money to purchase an estate to accompany the said title; and also for granting a sum of money for the use of the sisters of the late Vice Admiral Viscount Nelson, in consideration of the eminent and signal services performed by the said late Viscount Nelson to his Majesty and the public.

An act to enable his Majesty to continue a certain annuity to George now Lord Rodney, grandson of George Brydges Lord Rodney, in consideration of the eminent services rendered to his Majesty and the public by the said George Brydges Lord Rodney.

An act for altering and amending several laws relating to the duties of excise upon malt until the twenty-fifth day of March one thousand eight hundred and seven.

An act to amend two acts, passed in the forty-second year of his present Majesty, relating to the militia of England and Scotland respectively, as to the pay of the officers and men of the said militia.

An act to provide for the security and expedition of the conveyance of letters by the post in Ireland.

An act to amend an act, passed in the forty-second year of his present Majesty, for consolidating the several acts passed for the redemption and sale of the land tax, and to make further provision for exonerating small livings and charitable institutions from the land tax.

An act for making more effectual provision for the more speedy and regular examination and audit of the public accounts of this kingdom.

An act for the better regulation of the office of surveyor general of woods and forests.

An act for enquiring into the state of Windsor Forest, in the county of Berks, and for ascertaining the boundaries of the said forest, and of the lands of the crown within the same.

An act to extend the provisions of an act, made in the forty-third year of his present Majesty, for permitting certain articles to be warehoused in Great Britain to other articles not therein mentioned, and to alter the condition of the bond directed to be given by an act of the twenty-fourth year of his present Majesty by the masters and owners of vessels and boats licensed by the lords of the admiralty.

An act to repeal part of the excise countervailing duty on Irish hops imported; for granting an excise countervailing duty on the importation of Irish window glass; and to exempt tiles made for the purpose of draining lands from the duties of excise.

An act to amend the laws relating to bankrupts.

An act to repeal an act, passed in the forty-fourth year of his present Majesty, intituled, "An act to alter, amend, and render more effectual, an act, passed in the present session of parliament, intituled, An act for establishing and maintaining a permanent additional force for the defence of the realm, and to provide for augmenting his Majesty's regular forces, and for the gradual reduction

of the militia of England, so far as the same relates to the city of London."

An act to alter and amend two acts, made in the twenty-eighth and thirtieth years of his present Majesty, for limiting the number of persons to be carried on the outside of stage coaches, or other carriages, and regulating the conduct of the drivers and guards thereof.

An act for establishing and well governing the charitable institution, commonly called the Philanthropic Society, formed for the protection of poor children, the offspring of convicted felons; and for the reformation of children who have themselves been engaged in criminal practices; and for incorporating the subscribers thereto, and for the better empowering and enabling them to carry on their charitable and useful designs.

An act for more effectually repairing and improving the roads leading from Maidenhead Bridge to Reading, and from the said bridge to Henley Bridge, in the county of Berks.

JULY 23.

An act for taking down the present building in which the treasury chambers and offices of the court of exchequer in Scotland were situated, and erecting new buildings in lieu thereof.

An act for applying certain balances, arising from the forfeited estates in Scotland, towards making canals, harbours, and other public works there.

An act for appropriating certain balances, arising from the forfeited estates in Scotland, to the use of the British fisheries, and the erecting a lunatic asylum at Edinburgh, and the payment of the officers of the late board of annexed estates in Scotland.

An act to enable his Majesty to grant new leases on former rents for the benefit of charitable institutions, or augmentation of ecclesiastical corporations.

An act for the better regulation of the office of receiver general of the duties of customs in Great Britain.

An act to stay, until forty days after the commencement of the next session of parliament, proceedings in actions, prosecutions, or informations, under an act, made in the second year of King James the First, intituled, "An act concerning tanners, curriers, shoemakers, and other artificers occupying the cutting of leather," so far as relates to the buying of oak bark, and rough hides and calve skins in the hair.

An act for the preservation of the public harbours of the United kingdom.

An act for more effectually carrying into execution the purposes of

of an act, made in the thirty-ninth and fortieth year of his present Majesty, to give further time for the payment, on the conditions therein mentioned, of instalments, on certain loans advanced to the house of Alexander Houstoun and company, to Charles Ashwell, esquire, and to William Johnstone, esquire, being persons connected with and trading to the islands of Grenada and Saint Vincent, so far as relates to the real and personal estates of William Macdowall, James Macdowall, and Robert Houstoun Rea, esquires, in the West Indies, and elsewhere, except in Scotland.

An act for more effectually carrying into execution the purposes of an act, made in the thirty-ninth and fortieth year of his present Majesty, to give further time for the payment, on the conditions therein mentioned, of instalments, on certain loans advanced to the house of Alexander Houstoun and company, to Charles Ashwell, esquire, and to William Johnstone, esquire, being persons connected with and trading to the islands of Grenada and Saint Vincent, so far as relates to the real and personal estates of William Macdowall, James Macdowall, and Robert Houstoun Rae, esquires, in Scotland.

END OF VOL. III. 1805-6.

T. Gillet, Printer, Wild-court, Lincoln's-inn-fields.

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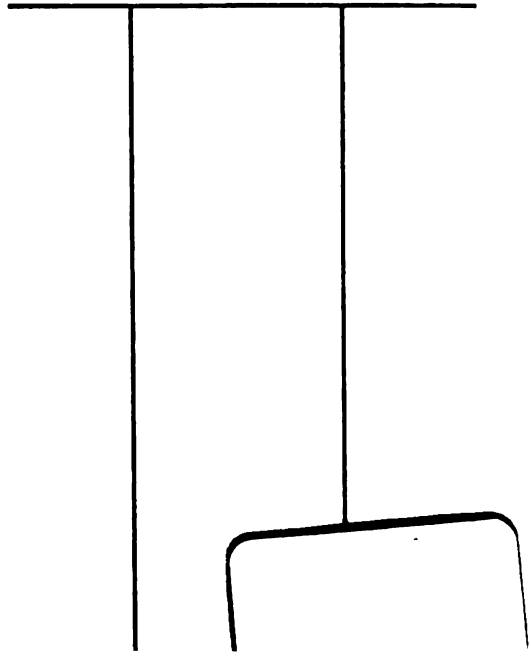
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